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THE POWER OF THE PRESIDENT

Saul K. Padover

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GUERRILLA PRIESTS: A FEW KIND WORDS — *Ralph Clark Chandler*

DALEY, DEMOCRATS AND UNIT RULE — *John Kearney & John Quirk*

CZECHOSLOVAKIA IN TRANSITION — *William Pfaff*

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NEWS AND VIEWS

The Marxist-Christian dialogue that has taken place the past several years in countries of middle Europe, notably Czechoslovakia, has been faulted as being narrow and incestuous, displaying no interest in other ideologies—Islam and Buddhism, for instance—and only measured awareness of the responsibilities of the Marxist-Christian world toward the peoples of the Third World.

The criticism is valid, but the value of the dialogue is not to be radically discounted as a consequence. Even in its restricted context, Marxist-Christian dialogue has served purpose by contributing to a growing freedom and tolerance in middle and Eastern Europe. Benjamin Page conceded this point in a critique of the dialogue which appeared in *Commonweal* last April 26. And now we see the point underscored by the events in Czechoslovakia.

We do not intend to oversimplify the liberalization movement in Czechoslovakia. The democratization of Communism in that country has many and complex causes. But that the Marxist-Christian dialogue is one of these causes is unquestionable. This is not entirely a theory of our own; it also belongs to a top official in the Czechoslovak Ministry of Cultural Information.

We met with this official while on a visit to Prague in mid-July. Russian-Czechoslovak tension over the liberalization was building toward its peak, and perhaps to protect against contingencies, the official asked that the meeting not be an interview, but a background session, with quotes not attributed and source not directly identified.

On the value of Marxist-Christian dialogue, the official was unequivocal: it has contributed measurably to the liberalization in Czechoslovakia—by opening up new perspectives, by identifying areas of convergence and concern, by defining differences in less tendentious terms, and by making clearer the positive contributions which a Christian population can make within the socialist system.

Socialism is the principle of government that the Czechoslovak people want, and Marxist-Christian dialogue has helped demonstrate to believers and unbelievers alike how they can work together within the system without either having to compromise personal convictions.

The official attributed the accommodation of believers (including the majority of Catholic bishops) with a Czechoslovakia that is officially Communist to two principal factors: realization at last that Communism is no passing phenomenon, and, more constructively, a sudden grasp of the possibilities for cooperation within socialism. The latter development the official attributed largely to dialogue based on the "modern theology of Teilhard, Moltmann, Rahner and Metz."

There was no lofty dogmatizing in the official—a Communist, of course—nor smugness over the fact that believers had finally "come around." No reason why there should have been. The official felt secure. He saw the state as the major beneficiary of religious-secular *rapprochement* in Czechoslovakia. Czechoslovakia would emerge as a social democracy where different ideologies can function, cheek by jowl so to speak—a concept completely new in Communism.

As for the freedoms which such policy would make inevitable, the official of the Ministry of Cultural Information had no fear. They will help bring the socialist system to reality, he declared.

To dramatize the confidence which a liberalized Communist Czechoslovakia has in a pluralist socialist state, the official cited a statement being issued that day by the Praesidium of the Communist Party's Central Committee. In return for an agreement by the Churches "to respect the socialist character of society, to be loyal to the state and to refrain from influencing believers in their civic decisions," Czechoslovakia's Communist leaders pledged that their party "will strive to safeguard religious freedom and deepen cooperation among all citizens, irrespective of their way of thinking."

The Praesidium's logic could have been put in words by the official who sat across from us, behind a desk bare except for telephone, a postcard of a nude African woman, and a May 15 issue of *Acta Apostolicae Sedis*: religious believers "actively share in the creation of a socialist society which they are convinced can give them an opportunity to assert themselves socially, ensure social security and respect their religious convictions."

This is the pluralist Czechoslovakia which Alexander Dubcek envisions. It is a concept of statehood with which any believer can feel comfortable.

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On the subject of Czechoslovakia, the interest of Americans in the fate of that nation should have more than political and diplomatic dimensions. Because of certain American associations with the founding of the nation, interest might also be filial.

Much of the world opinion favoring an independent Czechoslovakia was rallied out of the United States, and specifically Pittsburgh, by the famed Czech patriot, Thomas G. Masaryk, while he was chairman of the Czecho-Slovak National Council in Exile. A high point in his campaign came May 18, 1918, in Pittsburgh, when Masaryk addressed a throng of 50,000 and demanded formation of a free Czechoslovakia. Later that day, in what was Moose Hall and is now Elks Hall on Pittsburgh's Penn Avenue, Masaryk signed an agreement with representatives of Czech and Slovak interests guaranteeing the autonomy of Slovaks in a united state. The "Pittsburgh Convention" it was called.

Masaryk, when he became president of the new state of Czechoslovakia, denied implications of the agreement, saying it was only a "local understanding between the American Czechs and Slovaks." The interpretation was hotly disputed. Whatever the fact, the Convention had a vital influence on the birth of the nation and the forging of two peoples into one. JOHN DEEDY

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CORRESPONDENCE

Controlling the Schools

Bronx, N.Y.

To the Editors: The title of Maurice R. Berube's article [June 21] on community control of the schools, "Scarsdale, Yes—Harlem, No," implies that racist America has given to affluent, white suburbia what it now refuses to give to the poor, black ghetto dwellers in New York City. Shouldn't it read the other way around? For Mr. Berube goes on to describe a control situation that does *not* exist in suburbia, and which *does* exist in the black ghetto of New York: control of the schools which belong to all the people by a small, narrowly-defined minority of the total community.

In the current experiments in school decentralization and in all major plans proposed, including those being supported by the United Federation of Teachers, participation in school board elections has been limited to parents of children attending the schools *and* to members of recognized community groups (whatever they might be). In other words, the majority of the community in question, the taxpayers without children in the schools and without membership in acceptable organizations, are to be excluded completely from the selection of school board members. Can you imagine this sort of thing happening in Scarsdale?

Mr. Berube describes this arrangement as "Bundy's master stroke" and goes on to describe why it is a "good" clearly to be desired. He suggests that suburban schools function so well because the percentage of tax paid by suburbia for the schools is a good deal higher than that paid by the city dweller, and therefore interest in the schools is correspondingly higher in the suburbs than it is in the city . . . His argument is, of course, pure conjecture. There are too many other more important *political, economic and social factors* involved in the superior functioning of suburban schools.

He goes on to describe that city dwellers are notorious for selecting school

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THE BIRTH CONTROL ENCYCLICAL

"Conforming to fundamental principles of a human and Christian vision of marriage, we must once again state that there must be excluded absolutely, as a licit way to regulate birth, the direct interruption of the generative process. . . ."

The birth control statement is out at last, and the passage quoted above is a key part of the document. To say that this is a bitter disappointment is an understatement. One must, of course, sympathize with the Pope in the present situation of the Church. The rushing winds have entered the windows opened by Pope John and the Council, and it is Paul who most feels their force. His function in this time is clear, to lead a reformed and reforming Church into a new era, and to do this obviously requires the constant exercise of some sort of judgment, some sort of balance. The trouble is, however, that Paul normally seems to see balance as simply half-way between the old and the new, and this stance satisfies no one. At best, Pope Paul's "moderation" too often seems to represent half-steps when giant steps are all that will help, and lately he has actually moved backward. A few weeks ago his efforts to state a creed in traditional terms that ignored contemporary theological advances dismayed those committed to the cause of renewal; now, if we read the signs correctly, his encyclical on birth control will plunge whole sections of the Church into gloom, for the manner in which it reflects on the papacy if not for its substance.

This reaction, it should be emphasized, will not be limited to or perhaps even primarily felt by married Catholics. For millions of lay people, the birth control question has been confronted, prayed over and settled—and not in the direction of the Pope's encyclical. Thus it is worth noting, as the Population Council did, that the birth rate in Catholic countries is not

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significantly different from that in non-Catholic countries. But priests all over the world have the duty of preaching and advising married couples on such problems, and more and more of these priests find it conscientiously impossible to be guided along the lines of the papal position, a position which even discourages the practice of rhythm, let alone birth control. Witness the recent dissent of the 142 priests in the Priests Association of Washington, who publicly informed their bishop that they could not accept the hard line against birth control preferred by him. Indeed, if one considers the weight of theological opinion today, how could they in all honesty say anything else? The Pope clearly wanted to shed light on a murky situation; he wanted to bring certainty and put an end to doubt. Just as clearly he has failed in this goal, for one point is quite clear: the subject of birth control is too much in the state of doubt for anyone in the the Church to be dogmatic about it, and this judgment, we feel, must extend to the Pope's pronouncement—a pronouncement, it should be noted, made in the face of a strong opinion in the other direction by the majority of the Pope's own commission on the subject. As a solemn although not infallible statement, the new encyclical must be taken seriously and weighed soberly; it cannot be dismissed lightly or out of hand. With this said, however, our conviction is that after the present encyclical has been so regarded and so weighed by theologians and a laity more theologically sophisticated than Rome seems prepared to acknowledge, it will fail the test of history.

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McCarthy Fights For an Open Convention

A new theme has been written into the McCarthy campaign: the open convention, openly arrived at. As the primaries vindicated a politics of conviction, the convention stage of the new politics summons the Democratic delegates to set themselves free from the nineteenth-century provisions of the brokerage convention system. What might be termed the politics of challenge proposes that instead of blocs and bosses, the principle of "one man, one vote" should govern the ballots, credentials, rules and procedures of the Democratic Party.

Senator McCarthy himself suggested the unconventional idea that delegates should become free moral agents, bound only by obligations of conscience and constituents. This conception of the convention is a diametrical opposite of the proprietary precepts of the political entrepreneurs and vote-traders: "the delegates are not free agents, nor are they individuals subject to persuasion," said Edward Costikyan, the former Tammany Hall chieftain. "The delegate is the property of his leader." By extension, the politicos and interest-groups which hold the power to nominate or to veto candidates see the Democratic conclave as an exclusive preserve closed to rank-and-file members of the party and to pressures from public opinion. The significant targets of the politics of challenge, then, are precisely those anachronistic devices that have been traditionally manipulated by the urban bosses and Southern blocsters: unrepresentative methods of selection, including tokenism toward racial and political minorities, "instruction" of delegations, and virtual disenfranchisement of dissident delegates by imposition of "unit rule" whereby a simple majority may cast the entire vote of a state.

The politics of challenge is not merely a convenient hook upon which to unite "stop-Humphrey" alliances. Rather, the challenge reaches beyond 1968 and particular candidacies and issues toward a permanent transformation of the nominating processes. What this really means is nothing less than a movement for a new convention and a new party politics, based upon open covenants between the politicians and the people. In a very real sense, the McCarthy challenge derives from the best traditions of the Democracy. With cyclic turns, the agencies of democratization and reform led by men like Jefferson, Jackson, Wilson and Roosevelt have constituted a long revolution against the restrictions of back-room barters.

The most conspicuous vestige of the closed convention tendency is the "unit rule." Eugene McCarthy explained its effect in his *Dictionary of American Politics* (1962): "For example, if a state delegation to a national convention is operating under the unit rule and is split 12 to 11 over a resolution before the convention or on two candidates for nomination, the position advocated by the 12 would receive all 23 votes." In 1832, the Van Buren combine wrote a two-thirds majority and unit rules into the Democratic convention as insurance that no rival to Van Buren might gain the Vice Presidential nomination. The subsequent defaults and defeats of the Democracy between 1852 and 1932 were largely attributable to the bossism and sectionalism fostered by the "accidents" of two-thirds and unit rules.

As David Chalmers records in *Hooded Americanism,* the unit rule literally disenfranchised delegates within a dozen states who expressed publicly their desire to support the anti-Klan resolution at the 1924 convention, which was defeated on the official count by the margin of a single vote. In the same convention, unit and two-thirds rules on nominations necessitated 103 ballots to settle upon a compromise candidate, the lackluster and equivocal John W. Davis. By 1936, FDR's liberal Northern coalition managed to abolish the two-thirds proviso that had almost aborted the New Deal movement at the 1932 convention. But the unit rule has remained a whip by which a relatively small percentage of disciplined state delegations can exercise tremendous influence over party decisions and directions.

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Yet there is an identifiable set of precedents for amendments of rules that augurs well for the chances of the challengers this year. In 1912, the Wilsonians gained freedom from unit rule for those delegates chosen by open primary elections and established the first claim to the notion of prior obligations for an individual delegate. In the 1920's and 1930's, successive conventions upheld the concession that delegates whose votes were commandeered by imposed unit rules nonetheless had rights to speak for and second nominations of candidates other than the one favored by the state as "unit."

The evidence suggests that challenges to rules and credentials have proved the most substantive and successful basis for "turning the convention around." Already, the McCarthy as well as the Rockefeller efforts have invited comparisons with the Willkie drive of 1940 and the "fair play" resolutions by which Eisenhower managers initially tested and defeated the Taft loyalists over contested seating of Southern delegates. Similarly, the turbulent history of the Democratic Party contains the triumph of Woodrow Wilson over front-runner Champ Clark in 1912 and the crucial contest in which Roosevelt ally Senator Tom Walsh wrested the permanent chairmanship from the anti-Roosevelt designate Jouett Shouse at the beginning of the 1932 Chicago convention.

Among the targets of the August challenges will be the unit rule, unproportional representation of demographic and primary-vote groupings, and the bias of appointments to the convention committees, chairmanships, and apportionment of communications and physical facilities. Here the McCarthy camp and its allies have the potential to expose attempts at stacking the convention proceedings by the Democratic establishment and to embarrass Johnson, Humphrey and Bailey. Indeed, the substantive issues of access and allocation of powers raised by these contests will be more meaningful than platform plank actions where rhetoric can be co-opted and promises betrayed.

The possibility for unity between McCarthy and Kennedy elements will be symbolized in the "unit rule" fight where the conservative Connally caucus in Texas could disfranchise Kennedy men from San Antonio and McCarthy delegates from El Paso. The protests against disproportionate allotment of "at-large" delegates by Humphreyites in Minnesota and by National Chairman Bailey in Connecticut will aim to undercut the credibility and strategy of the Humphrey campaign. What Stephen Mitchell, the Stevensonian Democratic Chairman of the early fifties and head of the McCarthy delegate lobby, refers to as "the Oklahoma Octopus" will be another featured object of contentions. The Oklahoman leaders, who ritually act in tandem with the Texans, have been given a barely concealed inter-locking directorate with posts in the formal convention apparatus which are paralleled by other Oklahomans as key Humphrey chieftains.

Altogether, the politics of challenge can direct its ammunition against the attempts by Humphreyites to invoke unit rule over a dozen delegations, to forge alliances that would perpetuate and reinforce racial and sectional biases within the party, and to deny legitimate claims by McCarthy and Kennedy supporters to delegate freedom as well as proportionate representation. Significantly, the politics of challenge addresses itself simultaneously to the need for public involvement through moral drama and to the enlightened self-interest of those professional Democrats concerned about the welfare and future of the party itself. Since LBJ's *personalismo* led to the manipulation of the Atlantic City convention in 1964, state and national Democratic committees have atrophied, Young Democrat Clubs have been bullied into line, and the electoral appeal of the Democratic label has melted away.

In addition, the predicament of Illinois Governor Samuel Shapiro is indicative of the perils facing candidates if they go all the way with HHH. As successor to the retired Otto Kerner, Shapiro faces the toughest odds against Republican challenger Richard Ogilvie, who has powerhouse strength in population-laden up-state regions. As Ogilvie has made pro-Percy and pro-Rockefeller gestures to attract the liberal swing voters, so Shapiro's backers have approached the same independents for support. As Ogilvie will be watched at the GOP convention in Miami Beach, so Shapiro will be judged for his capacity and determinations as chairman of the Rules Committee in Chicago; in terms of his electoral vulnerabilities, he will be susceptible to public pressure and criticism in his handling of the "unit rule" debate. Although Daley and most of the Illinois delegation lean Humphrey's way presently, the state's votes will remain uncommitted until late August, and the Chicago Mayor and his state and local candidates calculate in terms of winning the most popular votes rather than exhibiting mere regularity in conventions and elections. Thus Senatorial candidate William Clark has made overtures to Kennedy and McCarthy people, while suburban state representative Harry Yourell, an unpledged organization delegate, has recently promised to abide by the results of a local preferential poll of his constituents.

The most cogent argument the McCarthy cause could submit to the party assembly may be that a renovation of the convention and a new base for the party are inevitabilities and that resistance to change will only undermine the electoral system. The inherently radical principles of McCarthy's new conception of the convention nonetheless differs from previous *ad hoc* reforms and advantages won from the professionals by popular candidacies and causes. In time, victory for his ideas would turn out to be the first step in transforming the character and structure of the Democratic Party. A machine-tooled Humphrey victory would mean electoral decline and "ruin or rule" by the old bossism of Bailey *et al.*, the stagnant unionism of Meany, and the petite Wallaceism of

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Lester Maddox. A McCarthy triumph, on the other hand, could become the herald of a new political alignment, embracing the new populism of the black and the poor, the new progressivism of the Middle-West, and the new liberalism of the cities. Whatever the specifics of the outcome, the manifest reality is that the Democratic Party can no longer remain part progressive and part regressive.

JOHN J. QUIRK

(John J. Quirk, a free-lance writer living in Chicago, is a frequent contributor on political and artistic subjects.)

Mayor Daley: Decision-Maker in Chicago

"There's only one delegate to the Democratic National Convention from Illinois."

"Only one man makes decisions in Chicago."

Both remarks refer, of course, to Richard J. Daley, Chicago's famous Mayor whose power is apparently so all-embracing that when the Concerned Democrats wanted to hold a national meeting in a downtown hotel last December to consider alternatives to President Johnson for the Democratic nomination, the Hotel felt obliged to call City Hall to see if it was all right to rent space to them. (It was, and the group endorsed Eugene McCarthy.) On the other hand, when the "McCarthy for President" committee tried to rent the Auditorium Theater for the week of the Democratic convention, the Auditorium also checked with City Hall for "permission" and it was denied.

How did one man get so much power? How long can he keep it? Why is Chicago different than all the rest of the country where big-city machines and bosses have long since passed into oblivion? Perhaps even more importantly, if Daley really has so much power, why has Chicago been torn apart with riots? Why are race relations in such pitiful shape? Why is the Democratic Convention threatened by labor unrest? And why is the Democratic state ticket for 1968 the weakest in years?

The base of Daley's power is, naturally, political, but it stems not from his office as Mayor. (The Mayor of Chicago is perhaps the weakest public executive in the United States; he is scarcely able to make a move without the specific authorization of the City Council.) Rather, Daley's power derives from his position as Chairman of the Democratic Central Committee of Cook County.

Illinois is a high patronage state where the jobs and contracts that can be awarded by public office holders are the life blood of political organization. Under this system, vote canvassing and poll watching are handled by those who have received rewards from the party.

The weighted vote cast by members of the central committee for chairman gives a precise index as to each committeeman's share of the spoils. Their votes are determined by the numbers in their jurisdictions who vote in primaries and the spoils themselves are assigned differing values depending on the money that may be realized from them each year.

At one time this system prevailed throughout the U.S. The reason for its demise in other parts of the country is its overall inefficiency in large-scale organization. Where each committeeman's jurisdiction encompasses no more than 500 to 1,000 potential voters (as is the case in most areas), the pie must be cut into such small pieces that the rewards for organizing are not very great. The perpetuation of the system depends on a large number of jobs being constantly available to the party in power, although even that fails wherever public employment does not offer substantially greater rewards than employment in the private sector.

Despite the national trend away from the patronage system, Illinois and particularly Cook County continue to be enslaved by it. One reason is that the conditions that betray its inefficiencies in other areas do not exist in the Chicago area. Committeemen in Cook County represent a base that may be more than 100 times as large as that of committeemen in other parts of the country. The ward or township from which they are elected may contain as many as 100,000 voters (the average is 50,000) so the slice of the patronage pie that each committeeman obtains will be substantial. He may therefore find that his insurance or real estate business will never lack for customers because enough people believe it is to their advantage to deal with such a well-placed political personality. The size of the base also means that the more powerful committeemen will be able to force a continuation of the system even though some may protest against it.

Cook County is further cursed with a great number of separate taxing bodies (due in large part to the low ceilings on bonded indebtedness allowed local governments by the Illinois constitution). Here we find not only cities, towns and villages but also police districts, park districts, library districts, sanitary districts, primary school districts, secondary school districts, mosquito abatement districts and even public washroom districts. There are more than 4,000 separate taxing bodies in Cook County, each with its own board, often elected, its own complement of patronage employees and its own portfolio of contracts that may be let to contractors with political influence.

Richard J. Daley, committeeman from the 11th Ward and chairman of the Cook County Central Committee, stands at the head of this huge army; it is he who divides the spoils. But he is also a captive of the system. He cannot except under extraordinary circumstances slate men for high office who have not worked within the system; nor can he distribute available jobs within the ghetto as long as the incumbent committeemen continue to deliver

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the primary vote. Even worse from his point of view, and from that of the future of the Democratic party, Daley cannot organize the suburbs where the low-paying patronage jobs available are not attractive enough to enlist effective political workers.

Still, Daley would not have reached the pinnacle of success which he enjoys today had he not long ago learned to parlay success and power in one area into success and power in other areas. He has done this by using his powers of appointment judiciously and by elevating the citizens committee to an art form. Very early in his career Daley realized the importance of recognizing leadership in organized labor, banking, commerce, industry and in all other segments of community life.

The same names appear on Daley's appointment lists again and again. They are also the men who control such groups as the Chicago Federation of Labor-Industrial Union Council, The Association of Commerce and Industry, The State Street Council, The Chicago Real Estate Board, and The Back-of-the-Yards Community Organization. Many are old friends of Daley's and all have a large stake in the Mayor's programs because they are also their programs. Chicago has become so accustomed to seeking solutions to problems in the traditional way that any suggestion that there might be another way merely produces shock.

Businessmen like Daley because he gets things done and is quick to cut through red tape. When a Citizens' Committee, appointed after a police scandal, recommended a man to take over the Chicago Police force who was not legally qualified for the job due to lack of residence, Daley simply changed the title of the job to make him eligible. He then appointed O. W. Wilson.

When a large manufacturing concern was threatening to leave Chicago because of lack of space to expand, Daley had his law department work overtime preparing ordinances to vacate streets and alleys and make dozens of changes (quickly passed by the City Council) to permit the company to expand in the neighborhood it was in.

There is no question but that this system has met the pragmatic test. Yet, like nearly every system, its very success contains the germs of its failure. Most of the leaders appointed to the Mayor's Committees are the leaders of the past, not the future. And they are the leaders of yesterday's institutions, not tomorrow's. There are large gaps on the Citizens' Committees from community organizations, churches and protest groups, which are becoming increasingly important in the city's life but are still not recognized by City Hall. Indeed, even to recognize them could anger groups already recognized and possibly destroy the consensus system by which these committees have come to operate.

Perhaps equally important and ominous for the future is the fact that Daley's power, and his success as an executive and administrator have impaired his communication with the city. Like any man at the summit, Daley is afflicted with advisors who have a tendency to tell him what he wants to hear. Anyone who walked the streets of Chicago's West Side for the past few years, anyone familiar with the discontent in the ghetto on the near North Side, could have predicted the conflagration that came after the murder of Martin Luther King this spring. The tinder was there; all it needed was a match. Yet Mayor Daley was visibly shaken by it. He was taken by surprise that such a thing could happen in his city.

The inescapable conclusion is that either the Mayor's advisors were just as insulated from the realities of Chicago as he or that they knew what was going on but didn't like to tell him. The suspicion that the latter is true is confirmed by a statement made in a meeting of Puerto Rican leaders soon after the riots on Division Street a couple of years ago. A man known to be close to the Mayor responded to a suggestion that the group tell the Mayor exactly what the grievances of the community were by quoting a proverb: "There is only one fish that swims against the current, the salmon, and he winds up in a can."

Mayor Daley is then, still a very powerful figure, but he is powerless to bring about the reforms necessary to help the Democratic party in Cook County to grow any stronger than it is now. Daley is an able administrator and a superb politician, but it is doubtful that even he will be skillful enough to ward off a substantial disruption of his smooth-functioning machinery in the months ahead.

JOHN KEARNEY

(John Kearney is Executive Director of the Independent Voters of Illinois, which is the state affiliate of Americans for Democratic Action.)

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FOREIGN AFFAIRS

THE 'LESSON' OF MUNICH

At the Munich conference of September 1938, at which Czechoslovakia was not represented, Great Britain and France agreed to German demands that Czechoslovakia be partitioned and stripped of the border areas which included Czechoslovakia's fixed military defenses. Implicitly, the Czechosolvaks were denied the support of their friends if they resisted these or further concessions to Nazi Germany.

Czechoslovakia's allies betrayed her because, at best, as Neville Chamberlain believed, Hitler's ambitions ex-

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tended no further, and peace in our time was therefore to be achieved. At worst, as Winston Churchill observed, the Allies were in no condition to fight.

Because of this example the United States Government, under the Administrations of John Kennedy and Lyndon Johnson and with the support of a large number of American officials and policy analysts impressed with the futility of appeasing international brutality, intervened in Vietnam. It was never entirely clear that the analogy between Vietnam and Czechoslovakia was very exact. But there was enough of a parallel of aggression and subversion for most Americans to go along with the initial American involvements. After all, it was part of the conventional wisdom that if had there been no Munich there would have been no second World War.

Thirty years later there arose another Czechoslovak crisis. The United States was at the same time attempting to negotiate a Vietnam peace. The cooperation of the Soviet Union was regarded as indispensable to that peace, since the inconclusive war was proving a serious embarrassment to both the United States and Russia. Moreover, the Soviet Union had expressed a willingness to discuss limitation of nuclear ballistic missile defenses, opening the prospect of mutually advantageous strategic arms control. The United States and the Soviet Union were both concerned to achieve international ratification of a nuclear non-proliferation agreement to check the development of nuclear arms in other nations; and the two super-powers were mindful of the fact that nuclear proliferation could prove a troublesome threat to their own security. There had been other gains in Soviet-American cooperation in matters serving their joint interest; and indeed, in most, although not all, of the nations of the world these gains were regarded as of general benefit. No one wanted the super-powers to go to war. At the same time some experienced a suspicion that with less fear of war with one another the super-powers might find more time and energy to make trouble for other nations. Vietnam had done nothing to reassure anyone on that point.

Today's Czechoslovak crisis arises from internal political liberalization—a movement within the Czechoslovak Communist leadership toward what the Soviet Union regards, with considerable justice, as Social Democracy. The poignancy of Czechoslovakia's moving toward Social Democracy at precisely the time the Social Democrats of Western Europe have acknowledged themselves politically bankrupt, becoming the junior partners in coalitions with Europe's conservatives (in power) and Communists (out of power, in France), is apparently lost on Russia. The passion and brilliance of the freed politics and thought of Czechoslovaks, liberated from their reactionary leadership, is terrifying to the Soviet leadership—a generation of undistinguished *apparatchiki*, or rather, of *apparatchiki* distinguished chiefly by a lack of distinction sufficient to have enabled them to escape Stalin's purges of the Soviet Communist Party apparatus.

The new Czechoslovak crisis requires a decision by the United States. Direct intervention to counter Soviet intervention hardly is practical. In any event, since 1956, it is not a credible threat to the Soviet Union. What else is available to American policymakers? The United States could quietly threaten to break off the detente, refusing further arms control negotiation, refusing political cooperation with the Soviet Union if it acts against Czechoslovakia. It could extend to Prague certain gestures of support, notably by opening talks on a sizable fund of Czechoslovak gold sequestered by the United States since World War II. It could make it plain to Russia that the international trust indispensable to arms limitation, and the commitment to political rather than military methods of competition indispensable to detente, would clearly be abrogated by Soviet violence against Czechoslovakia. The United States could, in short, offer to resume the Cold War with Russia on painful and expensive terms, accepting the risks that this implies.

But American policy is made by men who appear to judge a greater American interest in common with Russia than with a liberal Czechoslovakia. Arms control as a general proposition seems a weightier matter than any political support we might give actual Czechs and Slovaks in actual danger. Russia's assistance in extricating the United States from Vietnam, where we appear not to have "taught a lesson" to aggressors, seems more valuable than such lessons as may be taught by a successful Soviet intervention in Czechoslovakia.

It is not peace in our time that is sought today; no one thinks that making trouble for Russia over Czechoslovakia will provoke general war. It is the collaborative convenience of the great powers which is to be secured at the cost, if necessary, of Czechoslovakia. As "top policymakers" of the Johnson Administration have informed *The New York Times*, Eastern Europe is regarded "as a legitimate Soviet sphere of influence; there is little desire [in the Administration] to attempt to improve United States relations with the one-time Soviet satellites at the expense of relations with the Soviet Union."

Thus has the United States responded to the "lesson" of Munich. It has been a lesson primarily about the political morality and constancy of the democracies, as the Czechoslovaks, for the second time, are being made to appreciate.

WILLIAM PFAFF

Summer Schedule

In keeping with the usual practice, *Commonweal* is again appearing on alternate weeks during July-September. Forthcoming issues will be dated August 23, September 6 and September 20. From then on, we will resume our normal weekly publishing schedule.

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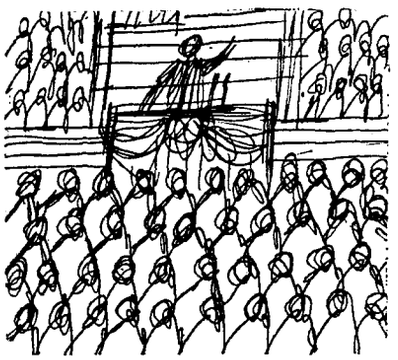
THE POWER OF THE PRESIDENT

The Chief Executive is virtually a dictator in international affairs

SAUL K. PADOVER



"They talk about the power of the President," Harry Truman once complained, "how I can just push a button to get things done. Why, I spend most of my time kissing somebody's ass." And a similarly thwarted Lyndon B. Johnson exclaimed recently: "Power? The only power I've got is nuclear—and I can't use that."

But not so international affairs. The concentration of foreign-policy power in the White House, especially in the last three or four decades, has been of such a nature that the customary Constitutional and political checks have been made largely ineffective. For all practical purposes, the President is virtually a dictator in international affairs. His decisions are paramount and unrivalled. He occupies the field of decision and action by himself. He shares his authority and prerogative with no other person or group. The irony is that the President uses his preponderant authority legally, *within* the Constitutional framework, but is not bound by normally prescriptive constraints.

This development would have appalled the Founding Fathers. It is informative to recall that the framers of the Constitution, in their Convention of 1787, were deeply concerned with the question of Presidential power and were worried that the Chief Executive might become autocratic. They had in their minds the European models, all of whom they considered bad—including George III of England and the Stadtholder of Holland. Jefferson, who was not present at the Constitutional Convention, expressed a widely held American opinion of contemporary European Executives (monarchs whom he regarded as mostly fools or knaves panoplied in autocratic power), when, speaking of the "book of kings," he exclaimed fervently: "from all of whom the Lord deliver us. . . ."

In creating the Presidency, the framers of the Constitution were confronted by the age-old dilemma of those who appreciate the need for power and at the same time fear its use. "Make him too weak," said Gouverneur Morris, "—the legislature will usurp his power. Make him too strong—he will usurp the legislature."

On this issue, the debates in the Constitutional Convention are illuminating. One distinguished member, Roger Sherman of Connecticut, proposed that the Executive be chosen by Congress and be entirely accountable to it, because, he said: "an independence of the Executive over the Supreme Legislature was . . . the very essence of tyranny." Pierce Butler of South Carolina, expressing a dread of Executive power which, he said, "in all countries . . . is in constant increase," warned: "Gentlemen seem to think we had nothing to apprehend from an abuse of the Executive power. But why might not a Catiline or a Cromwell arise in this country as well as in others?"

The wise and aged (he was 81) Benjamin Franklin thought so too. Keeping George Washington in mind, Franklin said that the first Chief Executive "will be a good one," but what about his successors? "Nobody," he reminded his fellow-delegates, "knows what sort may come afterwards. The Executive will be increasing here, as elsewhere, till it ends in a monarchy." In those days, it should be remembered, "monarchy" had the connotation of "tyranny" or "absolutism."

The long and intermittent debates over the Presidency, which extended over a period of about 14 weeks, ended in a compromise. Thus the President was empowered

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to appoint "ambassadors, other public ministers and consuls," but each nomination was required to have the "advice and consent of the Senate." The President was made Commander in Chief of the armed forces of the United States, including the State militias in wartime, but had no authority to initiate war. The power "to declare war" was granted to Congress. It is interesting to note that during the Constitutional debates an early version stated that Congress shall have power "to make war." In subsequent years it was suggested that this changed phrasing *implied* that while Congress was empowered to "declare" war, it was left to the President to "make" it. The framers of the Constitution, however, did not seem to think so. Without defining the meaning of "war," they made specific enumerations of areas connected with all things military where Congress has exclusive authority. Article I, Section 8, of the Constitution provides that the "Congress shall have power. . . ..

"To raise and support armies. . . .

"To provide and maintain a navy.

"To make rules for the government and regulation of the land and naval forces.

"To provide for calling forth the militia. . . .

"To provide for organizing, arming and disciplining the militia. . . .

"To exercise exclusive . . . authority over all places purchased for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings. . . ."

In regard to the crucial problem of treaties—declared in the Constitution to be the "supreme law of the land" —the framers were equally wary about granting the Chief Executive extensive authority. This was particularly true in connection with peace treaties. Some of the delegates to the Constitutional Convention felt that the making of treaties of peace was a matter of such moment that it should be the prerogative of the Senate in cases where the President could not be trusted to end a war.

James Madison suggested that two-thirds of the Senate should have the power to make peace treaties, without Presidential concurrence. His reason for the proposal reveals the prevailing distrust of too much Executive power. Madison shrewdly argued that a wartime President would, of necessity, be in such a commanding position that he might be reluctant to terminate a conflict that had clothed him with so much authority and special eminence. In Madison's words, a President "would necessarily derive so much power and importance from a state of war that he might be tempted, if authorized [i.e. Constitutionally allowed], to impede a treaty of peace." In a compromise solution, the framers of the Constitution granted the President power "to make treaties," but with a specific reservation—"provided two-thirds of the Senators present concur."

Even so, the framers were not altogether at ease about Presidential power. The Congressional checks which they built into the Constitution did not allay their fear of some overbearing or corrupt Chief Executive in the future. They added a further safeguard—that of impeachment. As a guarantee for the "good behavior of the Executive," to quote North Carolina's William R. Davie, the framers thought it essential that the President (as well as the Vice President and other high officials) be made liable to impeachment, that is, legally tried (by the Senate sitting as a court) for certain stated causes. If found guilty, by two-thirds of the Senators present, he should be removed from office and then be subject "to indictment, trial, judgment and punishment, according to law." Benjamin Franklin added a wry note to the discussion on impeachment. He said that the provision was necessary to get rid of an "obnoxious Executive," because without it there would be "recourse . . . to assassination." Such an act, he felt was too drastic, since it would not only deprive the President of his life but also of "the opportunity of vindicating his character." Impeachment would give the Executive a chance of defending himself in a fair trial.

As the Constitutionally created Diplomatic Chief and Army Chief, the President has occupied a unique position in the Federal system, enjoying—and using—special powers not granted to any other person or political body. In practice, if not necessarily in theory (although there is some Constitutional theory here too), the Executive, beginning with George Washington, soon found that his functions as Chief Diplomat and Commander had to be performed in an arena that was, more or less, exclusively his own. As early as March 7, 1800, John Marshall, then a member of Congress, said in a speech in the House of Representatives: "The President is the sole organ of the nation in its external relations, and its sole representative with foreign nations . . . The demand of a foreign nation can only be made on him. He possesses the whole Executive power. He holds and directs the force of the nation. Of consequence, any act to be performed by the force of the nation is to be performed through him."

A similar position was taken by the Senate Committee on Foreign Relations on Feb. 15, 1816. In its report, the Committee confirmed Marshall's view when it stated: "The President is the Constitutional representative of the United States with regard to foreign nations." It affirmed that only the President "must necessarily be most competent to determine" the whole process of international negotiation; and while "he is responsible to the Constitution," nevertheless, any interference by the Senate would only "impair the best security for the national safety."

Over the years, the President's position of primacy as Chief Diplomat—as treaty-negotiator and treaty-maker —has been established in practice and confirmed in law. The Courts have not only upheld this power but have deepened and widened it in their interpretations. One Supreme Court decision (*Geofroy v. Riggs,* 1890) actual-

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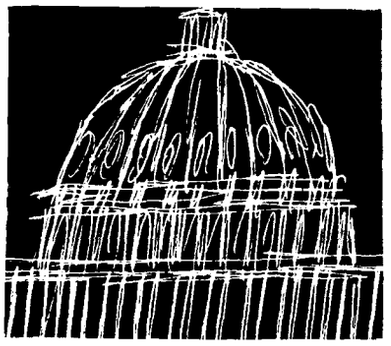
ly declared that the treaty-making power was virtually limitless in range and subject matter. The basic limit, according to that decision, was only that which the Constitution expressly prohibited. Otherwise, stated Justice Stephen J. Field in *Geofroy v. Riggs*: "The treaty power, as expressed in the Constitution, is . . . unlimited . . . It would not be contended that it extends so far as to authorize what the Constitution forbids . . . But with these exceptions, it is not perceived that there is any limit to the questions . . . touching any matter which is properly the subject of negotiation with a foreign country."

Furthermore, the Courts have been wary about putting restraints on the Executive's commanding prerogative in the realm of foreign affairs. They have taken the position that the Judicial branch was neither Constitutionally empowered nor administratively equipped to pass judgment in foreign policy matters, which they regarded as essentially political and not judicial. In the case of *Chicago and Southern Airlines v. Waterman Steamship Corp.* (1948), Justice Robert H. Jackson summarized the Supreme Court's opinion thus: "The President, both as Commander in Chief and as the Nation's organ for foreign affairs, has available intelligence services whose reports are not and ought not to be published to the world. It would be intolerable that Courts, without the relevant information, should review and perhaps nullify actions of the Executive taken on information properly held secret . . . But even if the Courts could require full disclosure, the very nature of Executive decisions as to



foreign policy is political, not judicial . . . They are decisions of a kind for which the Judiciary has neither aptitude, facilities nor responsibility."

Justice Jackson concluded that foreign policy decisions, being the domain of political (Executive, primarily) power, were "not subject to judicial intrusion or inquiry."

As Presidential power in foreign affairs has grown and expanded, the originally designed Constitutional checks upon it have undergone a slow process of erosion. To a large extent, this development has been due to the ambiguity of the Constitutional provisions. In the 1967 Senate *Hearings on U.S. Commitments to Foreign Powers,* Senator J. William Fulbright, Chairman of the Senate's Foreign Relations Committee, frankly admitted that he was troubled by "the imprecision that exists in this field." Constitutionally, it is not even clear what a "war" is, or when it becomes one. Is chasing bandits across a foreign frontier "war" in the Constitutional sense? Is occupation by marines of foreign ports and customs houses "war"? Is large-scale fighting against Communists in Asia a "war" or a "police action"?

In a Supreme Court decision of 1936—*United States v. Curtiss-Wright Export Corp.*—Presidential domination in the foreign affairs field was summed up in sweeping terms. Speaking for the Court's majority (7 to 2), Justice George Sutherland stated, *inter alia*: "Not only . . . is the Federal power over external affairs in origin and essential character different from that over internal affairs, but participation in the exercise of the power is significantly limited. In this vast external realm, with its important, complicated, delicate and manifold problems, the President alone has the power to speak or listen as a representative of the nation. He *makes* treaties with the advice and consent of the Senate; but he alone negotiates. Into the field of negotiation the Senate cannot intrude; and Congress itself is powerless to invade it. . . ."

Circumventing the Senate

Presidents have been able to circumvent Senatorial treaty power through the device of Executive Agreements. Such Agreements are of two types: those that require legislative implementation and those that are "pure," that is, require no Congressional action. Unlike a treaty, an Executive Agreement does not require the approval of the Senate. Presidents can make such Agreements, provided they do not infringe on the private rights of Americans, on any subject, ranging from recognition of foreign governments to barter deals. Among the better known Executive Agreements, one may mention: the destroyer-for-bases exchange with Great Britain in 1940; the Lend-Lease program in 1941; the Atlantic Charter Agreement in 1941; and the Allied Conferences of Yalta in 1944 and Potsdam in 1945, which involved postwar settlements. Executive Agreements, arranged between the President or his agents and foreign nations, have the binding force of treaties, as the Supreme Court has held in decisions such as *United States v. Belmont* (1937) and *United States v. Pink* (1942).

The number of treaties, requiring Senatorial concurrence, has decreased steadily while Executive Agreements, requiring none, have risen steeply. By 1939, out of 2,000 engagements made by the United States with foreign countries, 1,182 were Executive Agreements. In 1936, there were 8 treaties, and 16 Executive Agreements. In 1944, there was one treaty, and 74 Executive Agreements.

The vast, practically limitless, powers enjoyed by the President nowadays is seen most strikingly in the field of war making. From the very beginning, the "Commander in Chief" clause of the Constitution, not being defined

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or specifically limited, has provided the Executive with as much military authority as his personal discretion allowed. The main restraints have been the President's own character and political judgment. From the earliest days of the Republic to now, Presidents have sent armed forces into action—without Congressional authorization or war declaration—for the ostensible purposes of protecting life and property abroad. These have been recognized as legitimate steps in the defense of the "national interest." There have been at least 125 such instances, perhaps more.

John Adams waged an undeclared, although limited, war against France between 1798 and 1800. Jefferson sent a flotilla against the Algerian (Barbary) pirates in 1801. Polk ordered troops against Mexico in 1846, and Wilson in 1916. Presidents have dispatched marines to Central America on numerous occasions. More recently, Truman sent forces to Korea in 1950 (opening a large-scale war), Eisenhower to Lebanon in 1958, and Johnson to the Dominican Republic in 1966.

All these military steps were taken at the President's discretion, by virtue of the power inherent in him as Commander in Chief, without formal declarations of war. Occasionally there have been Congressional Resolutions, such as the Tonkin Gulf Resolution of 1964, but these must be construed as statements of support, not formal grants of power. A Congressional Resolution is in the nature of a politico-psychological tactic, to show the world that a certain Presidential step has national support or sometimes merely to nudge the Executive. But a Resolution as such adds little, if anything, to the President's inherent military prerogative.

Currently there is a claim in the Senate that the war in Vietnam is illegal because the Tonkin Gulf Resolution, which the President has used as his presumed authorization to initiate the bombing and to widen the conflict, was based on misleading information deliberately supplied by the Pentagon. The facts of the case may or may not be true. But even granting that the Senate was booby-trapped by the military agents of the Executive, the argument is of dubious Constitutional validity, although it may have great moral force. The truth is that the Commander in Chief does not actually need Congressional Resolutions. If and when he decides upon military action, he has a plenitude of authority and precedent behind him. He has, in fact, an awesome power in this field.

Is such power Constitutional? The answer is that it is not patently unconstitutional. There is nothing in the Constitution that says that the President may not wage war abroad at his discretion. The Constitution merely states that only Congress can "declare" war. But it does not say that a war has to be "declared" before it can be waged.

Vietnam is the culmination of this long-accumulating Executive power in the military domain. Where it differs from preceding Presidential commitments of armed forces abroad without war declaration is in scale—in numbers of troops committed, worldwide consequences, and soaring casualties. There is obviously a considerable difference between the three small frigates and one sloop of war that Jefferson dispatched against the Barbary pirates in 1801, and the current deployment in Vietnam. However, the principle of Presidential discretion in the use of force abroad remains the same.

We should remind ourselves that Vietnam is a Presidential war. It was initiated ("Americanized") with the bombing of 1964 and then steadily escalated and systematically conducted entirely by the President. The military heads and the chiefs of the Pentagon have acted, and legally may act, only at his orders. Whatever the reasons for the plunge into the Vietnam war there can be no question that the decision emanated from the Executive and has been his responsibility ever since. There is, moreover, no legal way to stop him.

Thus the fears that James Madison expressed in 1787 have actually come to pass, although under altered circumstances and under a different guise.

With luck, the war in Vietnam—now widely agreed to have been an American blunder—may end without global catastrophe. But what about the future?

Once in office, any man, by virtue of the power now inherent in the Presidency, is in absolute control over the levers of the mightiest military machine in the world, with an atomic-weapon capability of destroying much of humanity at his finger tips. That is a chance that this nation, or mankind as a whole, cannot afford to accept indefinitely.

The report of Senator Fulbright's Foreign Relations Committee, issued on Nov. 21, 1967 put the problem thus: "Already possessing vast powers over our country's foreign relations, the Executive, by acquiring the authority to commit the country to war, now exercises something approaching absolute power over the life and death of every living American—to say nothing of millions of other people all over the world. There is no human being or group of human beings alive wise and competent enough to be entrusted with such vast power. Plenary powers in the hands of any man or group threaten all other men with tyranny or disaster."

The situation is not only perilous in itself but it is also at variance with the philosophy of American democracy, which, in its governmental aspect, is based on the principle of "checked" and "balanced" powers. When one of the three coordinate branches of the national government is increasingly preponderant and unchecked, the structure is thrown out of kilter and creates a festering crisis that endangers the whole political system.

What is needed is not to take power in foreign affairs away from the President—the national security obviously requires that he has it—but to put manageable restraints upon it. What the situation requires is a counter-force to keep the overwhelming power of the Executive in ac-

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ceptable balance. Only Congress can do that Constitutionally.

If Congress, especially the Senate, is to restore its eroded powers and reassert its originally assigned role as partner and balancer in foreign affairs, it will have to do it, not through the futility of accusatory speeches or committee reports, but through concrete legislation and institutionalized procedures. In the process, it may well have to reorganize itself. A number of steps come to mind:

—Legislation putting specified limits on the size of forces committed to war abroad when there is no war declaration.

—Legislation requiring Congressional authorization for any increase of forces under such circumstances.

—Legislation requiring the Executive to consult the Congress before committing sizeable forces abroad.

—Legislation requiring a time limit on commitment of forces, subject to Congressional extension, or rescission.

—Reorganization of the Foreign Relations and Military Affairs Committees to small and wieldy size, with members making it their full-time occupation.

—Setting up of joint House-Senate Committees on the basis of continuous operations.

—Enlarging the professional and research staffs of those Committees.

—Establishing a Congressional intelligence service, not to compete with the gigantic apparatus available to the Executive (such as the CIA), but sufficiently equipped, trained and skilled to help the Congress evaluate properly the findings and recommendations of Presidential agencies.

These are, of course, merely indications of the kind of action required to strengthen Congress so that it could carry out properly its Constitutionally-assigned role. It is clear that without some such steps, future Vietnams may not be avoidable, and Congress will continue to be a paper tiger.

A few kind words

GUERRILLA PRIESTS

RALPH CLARK CHANDLER

In its issue of Feb. 2, 1968, *Commonweal* had reservations about the prospect of pistol-packing nuns and gun-running clergy in Latin America. Now that a few more facts are in and a little more reflection done on the Melville affair in Guatemala, the question of whether a missionary can or ought to be a guerrilla might be worth re-examining.

Of course any such discussion would begin with the quasi-diplomatic status of missionaries, be they Maryknoll Fathers and Presbyterian fraternal workers from the United States, or Wycliffe Bible Translators from Europe. They are in Latin America as guests of a host government. They can be asked to leave. They can also be arrested, beaten up and deported as undesirable aliens—which was the treatment Father Arthur Melville got in Mexico during the first week in April.

Some say it is different for a Camilo Torres to join the guerrilla movement in Colombia, for example, and to be shot to death in consequence, because he was a Colombian national, in addition to being a priest. By aiding guerrillas in Guatemala, however, Maryknollers Thomas and Arthur Melville, being Americans, violated Article 66 of the Guatemalan Constitution, which states plainly enough that "politics" is a field closed to missioners.

It is assumed, then, by all Latin American governments, and in virtually all church bureaucracies, that foreign nationals serving the church in Latin America must be apolitical. The definition of political neutrality is that the missionary is (1) not a revolutionary, and (2) not aligned with reactionaries on the right. That is, he must not be *visible* politically. If his service tends to maintain law and order as it exists, if he sees to proper worship and the care of souls, and if he is instrumental perhaps in bringing some social progress to the people, through education and medical attention, for example, he is said to be doing God's work. Never mind if, as a member of the Catholic hierarchy, he lives in an episcopal palace and has a police escort. It is equally inoffensive if, as a Protestant missionary, he preaches that one ought always to be subject to the higher powers and care primarily for one's personal salvation. This world is not our home anyway. We're just passing through. As long as the letter of the Guatemalan Constitution is observed by foreign churchmen, both the interests of political stability and prudence are served.

There are at least two things wrong with this assumption. First, it ignores the fact that foreign nationals, particularly those in the hierarchy, are already intricately involved in the daily goings-on of government in any Latin

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American country one can name. Who is to say that the American priests Thomas and Arthur Melville had more or less to do with the political intrigue of Guatemala than the American head of the national secretariat of the bishops of Guatemala or the American auxiliary bishop of Guatemala City, merely because the Melvilles' support of the left suddenly became visible last January? It might might well be argued that bishops threatened with economic retaliation from wealthy contributors to such causes as seminary construction if social-minded priests are not silenced, are engaging in political activity by silencing them. Such was the case last year when the Archbishop of Guatemala instructed preachers to overlook the theme of social justice because it was a controversial subject.

We will with some difficulty avoid mention of certain Italian and Spanish clergy whose support of conservative policies in Latin American governments are well enough known to need no documentation here. It is sufficient to leave the question as an appeal to logic, if not to sentiment: is it political interference of foreign national churchmen that some are objecting to today, or is it that much of the new activity is on the left of the political spectrum and therefore brings into question the church's traditional and unspoken-of ties with the rich and the powerful in Latin America?

The church came to Guatemala in 1524 as the other arm of the *conquistadores*. It remains so for their descendants. There is not now a Pedro Alvarado, Cortez's lieutenant who conquered the Mayan tribes by the simple policy of killing every Indian he saw and burning the Mayan leaders alive in a carnage so bloody he was called to Spain to answer for it. The Indians today are not allowed the more noble deaths their ancestors had when they resisted Spanish armor and horses so pitifully and so bravely 444 years ago. Today they die the slower deaths of malnutrition and illiteracy as they live in perpetual serfdom, a source of cheap labor to the plantation owners. Yet the church blesses as a Christian society one based on competition, rugged individualism, and the profit motive—concepts which apply to the Indian hardly at all. He is merely the thing the businessmen compete *for* —living outside the money economy himself, with not enough education or food even to know Christian charity. How can a man struggling to stay alive have any real concern for his fellows?

To the Indians who make up almost fifty percent of the population of Guatemala, Spanish remains a foreign language. Even in areas where the trappings of the Christian faith are accepted, often as the residue of the fear of Pedro Alvarado, the pre-Columbian Mayan religion is close to the surface. Do the statues of saints really replace Mayan idols? The peasant continues to go to them and talk to them as anthropomorphic representatives of the mystery of the creation itself, asking the statues, for example, why the corn crop wasn't better last year. Does baptism really replace the washing of the newborn in a virginal spring to change a child from an animal into a human being? Is the priest another kind of witch doctor? When the illiteracy rate is eighty-two percent (ninety-eight percent among Indian women), one probably plays it both ways. The author stood in a clinic not long ago and watched a mother massage her sick child with an egg, for that was the custom in her village, an ironical tribute to the fact that lack of protein in the diet causes much of the sickness among the Guatemalan children. If the child improved, was it the work of the egg the witch doctor had given her, or the work of the foreigner in the white coat?

The story is told in the little town of San Juan Ixcoy of a young priest who arrived about ten years ago to find a forty foot high wooden cross in front of the church there. At the base of the cross was a stone sacrifice place and a place to put candles and burn incense. It didn't take the priest long to learn that here was the center of pagan worship for the parish. The rites of the Mayan religion were performed at the appropriate time, and prayers in the name of the pre-Columbian mysteries were said *to* the cross. So Tom Melville went and gathered his axe and cut the cross down. He wanted to distinguish between the pagan and the Christian, and has been about that task ever since. He believes it is pagan for the church to allow the belief among the Indians that misery, sickness, and ignorance are a punishment from God for past and long-forgotten sins, and that wealth is an indication of God's blessing. He believes that a legalistic Catholicism, based on rites and sacraments, without any real attempt to translate their significance into daily living, contributes to the maintenance of the Mayan services, just as surely as did his bishop's action in putting back up the cross he had cut down.

Beneath the Surface

This brings us to the second and most important thing wrong about the assumption of what constitutes the proper work of God in a country like Guatemala. The assumption is that the appearance of order, security and hope do not cloak violence—violence made more monstrous by its legalization and sanctification. It is violence against the dignity of man for a system to force a *campesino* to work for a few cents a day while a few make thousands from his sweat. It is violent for him to see his children with the bloated bellies and vacant stares of starvation, as seventy-five percent of the Guatemalan population suffers from malnutrition. It is violence against him that he cannot read or write, that his country has one of the highest infant mortality rates in the world, that his average life span is a mere forty-three years, and that this alloted time is spent in a constant and bewildered struggle to stay alive. It is a violent society in which the gradual and evolutionary growth of the social organism cannot

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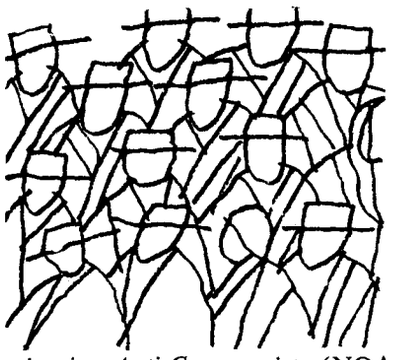
combat and heal its ills. Those ills have been festering so long and are now so far advanced that surgery is required.

A proof of this is in the example of the little town of San Antonio Huista, where Art Melville used to work. Last year the leader of a group of peasants trying to better themselves by establishing an agricultural cooperative was killed by the town's wealthy, including the mayor. This instance can be multiplied by a thousand throughout Guatemala. There are several highly efficient right-wing terrorist organizations in operation, such as *La Mano Blanco* (The White Hand) and the



Nueva Organizacion Anti-Communista (NOA). They are run by the army. It is well known that the NOA, for example, is headed by Colonel of the Army Maximo Zepeda Martinez and Lieutenants Hugo Edmundo Alonzo and Luis Dominguez, all on active duty.

This violence is not the violence of the jungle, for there spontaneous response is admitted to be natural. The violence in Guatemala is part of the established order. It is institutionalized. Opposition to it is opposition to constitutional government and all that. The church provides just enough moral scruples to help postpone the violent wrench in the social system itself which alone can bring release to the captives. In circumstances like these, resort to arms by advocates of transformation is only a *qualitative* distinction along the spectrum of the violence which already permeates the entire social organism.

I take it all back. Reinhold Niebuhr has taught a generation of theologians that most of the time we have to settle for approximate justice and keep reigns on our drive for perfection. So perhaps the Maryknoll superior, Father John M. Breen, was right in expelling the Melvilles for teaching the Indians that if the government and oligarchy were using arms to maintain them in misery, they had the obligation to take up arms and defend their God-given right to be men. The reputation of the order was definitely worth saving. The Catholic Foreign Mission Society of America, i.e., the Maryknoll Fathers, had been patiently pursuing rewarding work in Guatemala since 1943. They and the Guatemalan people had a lot to lose by Maryknoll's expulsion.

The missioners had established among the Indians of the mountains two hospitals and 31 clinics, which treated 167,643 cases in 1967. They had started 27 credit unions, four agricultural cooperatives, and four artesian cooperatives. They had founded 14 primary schools, as well as several secondary and experimental schools, including radio schools, with two stations broadcasting in the Indian language of the area. There were the colonization projects in Ixcan and in the Peten, where Indians were transferred from the tired soil of the highlands. There was the demonstration farm in Huehuetenango, where Indians were given courses in basic agriculture, use of fertilizers, seed improvement, soil conservation, crop diversification, and animal husbandry. This work is visible. In it the Melville brothers had had a leading part. They simply capitulated to the slowness of the process of change.

Father Breen acted quickly enough to thwart the attack of Guatemalan Vice President Clemente Marroquin Rojas. Even before the Melvilles' capitulation, Marroquin Rojas referred publicly to the remote department where most of the Maryknoll Fathers worked as "The Maryknoll Republic of Huehuetenango." When the Melvilles' involvement with the guerrillas came to light, however, he attacked broadside. Writing in the daily *Impacto* of Guatemala City, he said, "This is not a matter of one nun or one priest or two priests. There are many more like these among the abundant clergy. The government should conduct a detailed investigation of all residence permits to make sure there is no further danger that a whole generation of youth is converted to Marxism with the added fanaticism characteristic of the church." (The "one nun" Marroquin Rojas mentioned is Sister Marian Peter Bradford, who went with the Melvilles. She is now Mrs. Thomas Melville.)

But by the quickness and decisiveness of their expulsion from the country, only the Melvilles could now be called subversives, just as only one group out of all the religions of first-century Rome was subversive, and for precisely the same reason: loyalty to a new understanding of God, misunderstood by others as disloyalty to the state. So the rebel priests had to go find their own kind. Having done so, Tom Melville wrote from his hiding place in Mexico:

"Having come to the conclusion that the actual state of violence, composed of malnutrition, ignorance, sickness and hunger of the vast majority of the Guatemalan population, is the direct result of a capitalist system that makes the defenseless Indian compete against the powerful and well-armed landowner, my brother and myself decided not to be silent accomplices of the mass murder that this system generates. We began teaching the Indians that no one will defend their rights, if they do not defend them themselves. . . . We were accused of being communists along with the people who listened to us, and were asked to leave the country by our religious superiors and the U.S. Ambassador. We did so. But I say here that I am a communist only if Christ was a

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communist. I did what I did and will continue to do so because of the teachings of Christ, and not because of Marx or Lenin. And I say here, too, that we are many more than the hierarchy and the U.S. government think. When the fight breaks out more in the open, let the world know that we do it not for Russia, not for China, nor any other country, but for Guatemala. Our response to the present situation is not because we have read either Marx or Lenin, but because we have read the New Testament."

Many of the guerrillas had read the New Testament in fact. Their jargon even had some theological overtones. There was intermittent talk about the "radical transformation" of things. Yon Sosa, the 28-year-old guerrilla leader, spoke of a commitment which freed him from a fear of death. Cesar Montes, the 26-year-old second-in-command, quoted Pope Paul VI's encyclical *Populorum Progressio*: ". . . Farmers become aware that they are undeserving of poverty. . . ." Someone else quoted Saint Che Guevara, "Wherever death may surprise us, let it be welcome if our battle cry has reached even one receptive ear and another hand reaches out to take up our arms. . . ." Yet another referred to Saint Martin Luther King's dream.

Out of this strange amalgam of idealism and foolishness a new world will eventually be born in Guatemala, washed in a virginal spring to change a child from an animal into a human being. Thus far, however, prudence and progress have prevented the church from joining in this new affirmation of life in Latin America. Obedience is one thing. Radical obedience is quite another.

America meets Asia

ALOHA AND ALL THAT

HARVEY COX

Down the street from the ritzy Hilton Hotel in Honolulu there is an Aloha Gas Station. Around the corner stands the Aloha Laundromat. When you fly from Honolulu to the pearl-and jade-tinted island of Maui, another of the Hawaiian group, you travel on Aloha Airlines. Aloha is more than a greeting. It is the traditional Hawaiian spirit of welcome and goodwill. It's in the air everywhere, or at least on the lips. But nowadays there is an element of strain in the aloha spirit. Beneath the lei-enwreathed sun-blessed exterior of this southernmost and westernmost state of the union, all is not guavas and papaya juice. The ancient tensions among its diverse ethnic groups—Chinese, Japanese, Filipinos, Hawaiians and "haoles" (Caucasians)—are not only very evident, but may be on the increase. Yet, the aloha spirit is not just phony front or an ephemeral Pacific breeze. It is a hope, a defense, maybe even a necessity. The diverse people crowded onto those tiny volcanic reefs jutting from the sea know full-well what the alternative would be. Without some common basis for living together, however studied and precarious, Hawaii could disintegrate into a jungle of warring tribes.

Admittedly, when I accepted an invitation from the Rev. Seido Ogawa to give some lectures under the auspices of the Hawaii Council of Churches, my motives were somewhat ulterior. At the end of a tiring academic year the idea of mixing some surfing, sunning and scuba diving with my theologizing sounded welcome. But, alas, for someone interested in religion, culture and social change, Hawaii doesn't allow much relaxation. It's like a chemist trying to take a vacation in the most interesting and well-equipped lab he has ever seen. I did some skin-diving and I have sunburn and coral scars to prove it, but I could never stop watching the fascinating human kaleidoscope around me.

Hawaii doesn't have everything, not quite, but it's getting there. The only American state with a Buddhist majority, two Oriental senators (Fong and Inouye) and a white minority, it has still not fully outgrown its quasi-territorial mentality, nor the grip of "*haole* power" exercised by the sugar and pineapple companies, the military and the descendants of the Congregational missionary families.

The careers of the various racial and ethnic groups in Hawaii are a classical study in national character and acculturation. The Chinese, for example, have done extremely well. They came to Hawaii as contracted coolies. Exercising noted skill in business and finance, they lead all other groups in average income. Myron Fong, the millionaire senator, is their totem and exemplar. The Japanese have moved well up into the professions, education and politics. Filipinos fill in the lower rungs of the ladder, while indigenous Hawaiians, for various reasons, are hard to place on the scale. A little like blacks but also like American Indians, they are both touted and tormented,

HARVEY COX *writes a regular column for these pages. His most recent book is* On Not Leaving It To The Snake.

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patronized and pushed around. The holders of vast land rights, they still suffer from a low educational level and have the highest unemployment rate of any group in Hawaii. Haoles are coming to Hawaii in large numbers and can be seen doing "something you could not have imagined fifty years ago," a Japanese minister told me, "—blue-collar jobs." The sheer number of haoles has shifted the ethnic balance in their favor, and despite the spectacular success of the Orientals, recent studies have shown that at the directorial level of the powerful corporations, the Caucasians still call the signals.

Whatever the various groups in Hawaii may think of each other they seem unanimously unhappy about the most recent brand of immigrant—the flower children. Hawaii is only one hundred dollars from San Francisco—one way —and it's the way that freezes the smile on the Hawaii Visitors Bureau's face. With little more than the fare in hand, young drop-outs can fly to Hawaii and almost literally live off the land. In recent months they seem to be clustering in larger than usual numbers around Lahaina and Paia, towns on the beautiful island of Maui, a half-hour's flight from Honolulu. Already, communes have sprung up in the groves and cane fields. Guitars now throb with a hard rock beat instead of the chromatic whine of the Royal Palms. Beards, male earrings and tooth necklaces can now be seen around the Lahaina wharves for the first time since the whalers disappeared in the middle of the last century. Hawaii, especially Maui, seems right somehow for the gentle folk. It already has the softness, the fragrance and the unhurried pace they cherish. And they ask only to be left alone. Unlike the haole missionaries of a century ago, their mystics and their holy men have little desire to convert or control. But their dress and habits offend many of the old-timers, and their presence puts the aloha spirit to the acid test, so to speak. Hopefully Hawaii may in the end offer more tolerance and acceptance to these people than they have met with elsewhere. It's a long pilgrimage from the Bronx to "Hashbury" to Maui—and from Lahaina there is not much of anyplace left to go.

America meets Asia in Hawaii. But what kind of meeting will it be? In the luxury hotels along Waikiki, droves of mainland tourists drink pineapple rum and watch Hawaiian entertainers and vaguely Polynesian girls dancing the night club version of the hula. ("And next, ladies and gentlemen, Joe Kahoa and his native flame dance. Let's give Joe a big hand.") Downtown the Rev. Abraham Akaka—surfer, ukulele player, and spokesman for the indigenous Hawaiians—leads a torchlight parade to the Palace to protest what he claims is an infringement of his people's land rights. At the University of Hawaii's East-West Center the new Chancellor Everett Kleinjans tries to put scholars from America and Asia in a situation where they will have time to listen to each other. From Pearl Harbor supply ships steam silently out with bombs for Vietnam, and return with their cargoes of coffins. At the All Island Assembly of the United Church of Christ, the largest Protestant group in the state, the Rev. Wallace Fukanaga, the young UCC chaplain at the University of Hawaii, patiently explains to a multi-hued and somewhat anxious group of churchmen that it was not just "a bunch of mainland haoles" who sat in at the Administration Building to protest an alleged tenure procedure violation. "Some of our local students were involved." ("Locals" is a word Oriental Hawaiians use a good deal. It refers to Islanders vs. Mainlanders, and can include haoles in some contexts.) The eager, haole-dominated Lahaina Restoration Committee, inspired in part by Williamsburg, wonders why the Lahainans of Japanese ancestry show little enthusiasm for their plan to restore the waterfront (now graced by the frigate used in the film of Michener's *Hawaii*) to its appearance during the halcyon days of the whaling epoch, days when the parents of these prosperous Japanese were cutting cane for eighteen hours a day. Meanwhile a huge placid statue of the Buddha, placed at the seaside on Maui by the Hawaiian Buddhist Association, stares vacantly over the Lahaina beach where a haole boy in long hair and an Oriental girl in a flowered mu-mu are watching the sun set.

Hawaii appeared in this endless expanse of water only because enormous sub-oceanic volcanoes erupted in ferocious turbulence, cooled and gathered soil between them. Now the land and mountains are covered with flowers and cane fields and human beings. Its incredibly varied peoples literally live amid orchids and hibiscus on the top of a seething subterranean chaos. In the not too distant past the volcanoes have erupted occasionally, sometimes causing enormous damage. But will they ever really blow the way they did in those prehistoric days? When I put this question to a geologist in Honolulu his answer could also have applied to Hawaii's beautifully promising but still unsettled society. "Probably not," he said, "but then you can never really be sure, can you?"

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FELIX POLLAK

SONG

I left without goodbye
free as a bird
you were the faintest cry
from once-it-hurt

Free as a bird I leaned
against thin air
you were a gust of wind
from never-were

You were as lost and late
as rock turned sand
but when I touched new land
I was afraid

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ARTHUR ATKINS

POEMS

THE DARKEST AFRICA

Deep in the jungle,
the great creeping jungle
where a jaguar lives
and panthers stay in the trees
while monkeys roam the treeside
and apes sittin down
just scratchin,
where giraffes stay in the field,
where hunters come and shoot panthers
and lions run away the hunters.
And there's an African village
not far from the river.
And then the action begins.

The apes stop scratchin
and then they attack the African village
not far from the river,
destroy the houses
and go to the river,
destroy the boats
and throw them in the river.
Then everything starts to scatter.
The hippopotamus comes out the water,
the panther starts to run
and the deer starts to run faster,
and everything goes berserk. ■

I saw a woods,
a lake, a deer, and a buffalo.
I look the deer in the eyes and then said good-bye.

There's a tree
a special kind of tree.
It reminds me of my father.
Now my dream is almost over.
Good-bye dream. ■

Martin Luther King was a great man.
He wanted everyone to get what they want.
He was starting to have a march Monday.
Because he got shot Wednesday night
he couldn't lead the march,
but his wife led the march for him.
Then the riot start to begin.
Everyone was running
like the world was going to end.
But peoples were not thinking of that.
What they wanted to do was to break in the stores,
rip down the gates,
bust bottles,
put the white mans out of business.
But they were hurting themselves.
They knew they couldn't eat no food
or have clothes Easter.
Now they was sorry but that was too late.
Martin Luther King had wanted them to be good friends.
Good-bye Martin Luther King. ■

THE TRUTHFUL TOUCH

There is a truthful touch.
It lies beyond the stars and moon.
But this truthful touch,
it is sad.
It wishes to be things.
It wishes to be people,
it wishes to be cars,
it wishes to be a million things.
But only one thing it could be
and it only had two chances.
He can be the biggest diamond in the whole universe.
He can be a little golden star.
But he made up his choice,
he will be the biggest diamond in the whole universe.
Now the biggest diamond in the universe is glad.
He brush off little diamond dust
through the skies,
through the Milky Way.

Now on earth,
good-bye with the biggest
greatest smile on earth. ■

Arthur Atkins, aged 10, is a black poet who lives in Harlem.

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an exchange of views

'UNDERGROUND THEOLOGY'

In the following exchange, Fr. Aquinas M. Ferrara, O.F.M., and Dr. Mary Daly debate the theological views presented by Dr. Daly in "Dispensing with Trivia," one of three articles reflecting ideas current in what is called Underground Theology [May 31]. Fr. Ferrara teaches at Christ the King Seminary in Allegany, N.Y. Dr. Daly, a theology professor at Boston College, is the author of The Church and the Second Sex *(Harper and Row).*

AQUINAS M. FERRARA

My own involvement with contemporary philosophy and theology has led me to a twofold attitude toward the recent burgeoning of theological journalese: (1) a sober recognition that, as journalese, it is largely not theology at all; (2) a profound concern over the ill effects of such glibness on uncritical minds. A critically careful approach to truth and its complexity is all too often being replaced by the half-truth and the inflammatory broadside. The slow and systematic exposition of a question is being brushed aside in the name of a new theological concupiscence.

An honest view of theology today reveals that its genuine "doers"—men like Rahner, Lonergan, DeLubac, Balthasar—eschew such emotional short-cuts to truth, realizing that, as history has constantly testified, such short-cuts lead to short-circuits. Time takes time if it is to transcend time. "Our eternity ripens out of time as the fruit in which, when it has fully grown, everything we were and became in this time is conserved" (Karl Rahner). All the great theologians have known how to take their time, for they were truly and fully human. In their patient "letting-be" of theological truth, they proved to be genuine theologians: witnesses of a Word other than their own, prisms through which a greater and adorable Light shone on this contorted earth. In this "letting-be" consisted their true relevance. So will it always be. Man cannot be saved by the burning narrowness of the purely human word. That is theological hell.

Most theologians today, I think, are trying to do theology with the critical reverence, if not the acumen, of the Augustines, the Thomases, the Rahners. From this viewpoint, Mary Daly and her fellows in the theological underground are not even in the ball game. What is so frightening and disturbing, however, is that they seem to be taken so seriously by so many, to their own confusion.

Permit me to elaborate briefly on this central charge of uncritical thinking apropos Dr. Daly's article.

She begins with an uncritical acceptance of Bonhoeffer: "Bonhoeffer saw that man in a world come of age can cope with all questions of importance without recourse to God as a working hypothesis . . ." thus pointing out, "the irrelevance of religion for modern man." If this statement is true, then we have dispensed not with "trivia," but with Christianity itself and its core doctrine of redemption. Dr. Daly does not distinguish between a fact (the contemporary irrelevance of religion—which, by the way, she assumes without proving) and the legitimacy or illegitimacy of a fact. In her eyes, the Church and its message must bear all the responsibility for the current religious crisis, while the "just plain folks" who have given us two World Wars, Korea, Vietnam, the Cold War, technocracy and the sophisticated Chinese torture of Madison Avenue skip along in primeval innocence. Might it not be possible that there is at least a shared responsibility here? Might it not be that contemporary man has to some extent sinfully closed off the area of transcendence, at least by his failure to control the implications of power? Might not the man to whom the Gospel is preached be sinning against the Light by the willful stopping-up of his ears to the Word of grace and redemption? If man can cope with all questions, might it not be because he has forgotten how to ask the really crucial ones?

Dr. Daly glibly shifts between the attitudes of the "Christian theologians" who repeat Nietzsche "from the house-tops" and the "general cultural climate that . . . permeates the whole of Western civilization." Who are these "Christian theologians"? As a matter of fact, they are a quite small and vocal minority of American Protestants. Dr. Daly, however, omitting all reference to Catholic thinkers, and even to major Protestant figures such as Moltmann or Macquarrie, would create the illusion of a mass theological exodus from traditional theism.

"Thought patterns have changed." Yet I had thought that the role of the thinker was to forge the living unity of history, not to atomize it in a new historical monadism. I had even thought with Pius XII that this was one of the theologian's major tasks. To think out the real problems of continuity and change in history is to take a meaningful step beyond the Cassandrian cry that we must "abandon all attempts to create illusions of false continuity with the past." False continuity we surely do not need, but Dr. Daly's epoché of the very problem of continuity leaves her outside the area where the real theological action today must take place.

". . . there simply is no place for the pompous claims

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that have become synonymous in the popular mind with 'Christian doctrine.' " Pomposity, of course, is inhuman wherever it is found, because it ignores the fact that all truth is somehow grace. But I wonder in what, precisely, Dr. Daly's charge of "pomposity" consists. In the claim that the Gospel and the teachings of the Church are *true*? It seems to me the first Christians were note quite *that* self-effacing: "If anyone preach a Gospel to you other than that which you have received, let him be anathema" (Gal. 1, 9).

"One of the most prevalent distortions is the notion of faith as an act of knowledge with a low degree of evidence." Dr. Daly's understanding of this "distortion" imputes to faith a blind voluntarism that the Church has always rejected. Further, she tells us that by faith "one wills or decides to believe certain propositions proposed by the Church as being 'divinely revealed.' " This decision, she continues, means that "the 'believer' gives assent to his own brainwashing, to spiritual mutilation." To assert that faith is an assent merely to propositions is to be ignorant of what the Church says faith is. To call assent to the magisterium a consent to brainwashing and spiritual mutilation is to come nigh to what I would call *heresy* if I weren't afraid of breaking down communications. The further delineation of faith as "the state of being ultimately concerned" omits the crucial question of the *object* of one's ultimate concern, which, in the case of faith, is God's revelation in Christ through the Church. Thus faith is primarily an answer to a call, a finding and being found by God: *grace,* not self-redemption, thinking, or good will. The Christian understanding of faith, moreover, is quite consonant with the traditional (Augustine, Thomas, etc.) idea that faith also involves by its nature the ceaseless activity of searching thought.

A word about Dr. Daly's treatment of God. We are told that God must not be thought of as a tyrant (a possibly superfluous exhortation to anyone cursorily acquainted with even the Old Testament). But then Dr. Daly pulls what might be called a "quicky"—lumping together the rejected notion of tyrant with the idea of an inscrutable divine plan. Tut tut, Mary, take your finger out of the cookie jar. Someone might tell St. Paul on you (cf. Eph. 1, 8-10; 3, 8-9).

It is, of course, true that the elaboration of a genuine theology of God is quite difficult today. Yet to state that the notions of God's omnipotence and immutability reduce man to "psychic infantilism" is to empty theism of all meaningful content. Without the infinity of God, what becomes of that restless infinity of the human spirit Dr. Daly is presumably so intent on preserving?

She ends in a blaze of anonymous Christianity, all of which has been said before, better, and with theological underpinnings, by Rahner (e.g., *Theological Investigations II*, 1-88), who at the same time preserves the necessity of the full visible Church as sacrament of universal salvation. In the course of her sweep-out of the sacramental principle, she makes some deliciously enigmatic remarks on papal infallibility which I will not presume to try to interpret. Everybody knows that old dogma.

One may argue that my criticisms here have not been fair, because they have concentrated on the faults of Dr. Daly's article, while ignoring its positive insights and especially the confusion in the Church today which is the background of this confrontation. There is something in such an objection, but I do think that theological irresponsibility such as, in my opinion, is displayed by Dr. Daly in her article, is carrion comfort to those honestly and carefully trying to face present difficulties.

I realize that many of the problems she raises, e.g., the "moral failure of institutional Christianity," the charge of theological brainwashing and doctrinal underdevelopment, the problem of reconciling evil with a good and almighty God—I realize that these are burning questions that admit of no easy answers. I fully share Dr. Daly's supreme concern with them. But I also know that it is the task of the theologian to try to find answers to these questions, and not merely to embroil himself in a maze of masochistic self-denunciations. What really makes my blood boil is the gnawing negativism at the heart of an apparent optimism, the lack of a clear loyalty to the Church, and the arrogance (however well-intentioned) with which we are bombarded with uncritical canards. Dr. Daly puts her finger on the ultimate issue when she says: "What is at stake is the future of faith itself." Precisely.

My comments, accordingly, have been offered in the hope that serious-minded people will disavow the raging theological voluntarism that now threatens to engulf us, and settle down to the sober business of genuine theological thought—which operates, be it added, above the ground, because it is fundamentally at peace with the Light.

MARY DALY

It is difficult to answer Fr. Ferrara's comment. The reason for the difficulty is suggested by his own use of language: He finds it "frightening" and "disturbing" that the ideas of theologians such as myself and, presumably, of theologians whom I quote should be taken seriously. This is, I think, the key to his failure to understand what I have to say. It is his fear which prevents the possibility of an attempt at sympathetic understanding and so, even when he does take up a theological issue, his arguments are beside the point.

In his first paragraph Fr. Ferrara sets the scene: He informs us that he is "involved" with contemporary philosophy and theology, suggests that such articles as mine are "theological journalese," and expresses his fears concerning the ill effects of such writings upon "uncritical minds," i.e., the readers of *Commonweal.*

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It is rather embarrassing to have to explain to Fr. Ferrara that I too am "involved" in philosophy and theology, to the extent of having gone through the long, painful process of researching for and writing doctoral dissertations in both fields, dissertations so tediously technical that there is hardly a paragraph in either that would be printable in *Commonweal*. One adopts the language and style suitable to one's medium. When writing for *Commonweal* I assume that I am writing for mature, educated readers, most of whom are not technical theologians, and many of whom have sharper minds than do some technical theologians.

What is it that Fr. Ferrara finds so "frightening" about such writing? He tells us that he is afraid of "uncritical thinking." What does this mean? Having read his letter, I am driven to the conclusion that what he is really afraid of is critical thinking, that is, of thinking which he cannot easily reconcile with traditional Catholic theology as he understands it. Since he gives examples to substantiate his "charge," these can't be ignored.

First, there is my "uncritical acceptance" of Bonhoeffer's assertion of the irrelevance of religion for modern man, and Fr. Ferrara's claim that "if this is true we have dispensed not with 'trivia' but with Christianity itself." Since Fr. Ferrara has told us of his involvement with contemporary theology, I would like to think that this complete misunderstanding of Bonhoeffer and therefore of what I was saying is only a slip. Apparently, however, his involvement is chiefly with Catholic theologians of the older generation. As anyone who has read *Letters and Papers from Prison* would know, Bonhoeffer carefully distinguished "Christianity" from what he meant by "religion." Bonhoeffer denounced the perversities suggested by the term "religion" precisely because he wanted to save Christianity. My sophomores are aware of this terminology and I think it is a safe assumption that it is also true of a good percentage of *Commonweal*'s readers. For those still unaware, my article might serve at least as a belated introduction to some of the most basic equipment needed for discourse with contemporaries. Perhaps it is his defensiveness which leads Fr. Ferrara to this misunderstanding not only of Bonhoeffer but also of what I was saying. How else can I explain such remarks as the following: "In her eyes, the Church and its message must bear all the responsibility for the current religious crisis"? I did indeed speak of the failures of the Church, but I did not say that it must bear *all* the blame. Surely the application of simple logic would reveal that the admission of failure on one's own part does not imply a denial that others too have failed. Again: to say that the death-of-God theologians reflect a general cultural climate does not mean that all living theologians or even the majority of theologians belong to the radical school.

I agree with Fr. Ferrara, of course, that one of the theologian's major tasks is to think out the real problems of continuity and change. This will require years and the volumes of many. But I think that one of the most important prerequisites to doing this is to clear the air of the word games still frequently played by some Catholic theologians in order to sustain the appearance of continuity where in fact it does not exist. I had hoped that my brief article might contribute to this preliminary air-purification process. I respect the intelligence of *Commonweal* readers enough to think that most of them got the point. Ditto for the expression "pompous claims."

In his rehash of my discussion of distortions of faith, Fr. Ferrara again reveals how his defensiveness obstructs the process of objective—let alone sympathetic—reading. He says that "to assert that faith is an assent merely to propositions is to be ignorant of what the Church says faith is." But in the article I was making the point that the notion of faith as an assent to propositions is a *distortion* of faith. Having spent a few years going through the Latin texts of theologians on faith, I agree that this is not in line with the authentic tradition, which is precisely why I called it a distortion, hoping that the logic was self-evident. However, that the notions of faith which I describe are distortions is less than self-evident to many who have all their lives heard such notions proposed as "what the Church teaches." To these readers, it may be less than clear what Fr. Ferrara means when he says that "the Church has always rejected" such notions. Fr. Ferrara seems to be improbably clear in his pronouncements about what "the Church says."

In his defense against my brief remarks about faith, Fr. Ferrara reveals his puzzlement over my description of faith as "the state of being ultimately concerned." Now this description is taken from Paul Tillich—a fact which the article does not hide but plainly announces. I would have hoped, therefore, that a reader who is involved in contemporary theology not only would have recognized the reference but also would have placed it in the context of Tillich's work, in which the problem of the object of one's ultimate concern is discussed with intricacy and depth. Tillich is of course less clear on this point than Fr. Ferrara, who seems to feel that he has set the record straight by defining the object of faith as "God's revelation in Christ through the Church."

Then there is "Dr. Daly's treatment of God." The problem is, once again, that Fr. Ferrara's criticism has little to do with what I actually wrote. The point is that the notion of an inscrutable divine plan is alienating when it is linked with the idea of a tyrant God, and that the notions of divine omnipotence and immutability are harmful when they are understood within this frame of reference. We are dealing here with patterns of ideas. It may well be that the terms "omnipotence" and "immutability" can still be meaningful for us, but this will not be the case until a theology of God is developed which takes into account recent developments in epistemology, in psychology, and in the analysis of language.

It is with a kind of sense of futility that I write these

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clarifications, because I have the impression—though perhaps it is a delusion—that most readers who were psychologically disposed to understand me would find such explanations superfluous. I have tried to take the points on which there might be a possibility of discussion. There can hardly be much discussion on my part of Fr. Ferrara's accusations of "theological irresponsibility," "masochistic self-denunciation," "negativism," "lack of loyalty," "arrogance," etc. Surely the use of such language does nothing whatever to further open theological discussion of the really serious problems which are now facing us. I think that he uses such language not out of mere malice, but because—just as he says—he is afraid of the effects of such writing upon uncritical minds. I think I understand his position quite well: I would have written some of the same things myself not so long ago. But that was when I was much less critical than I am today.

FROM ADULTERY TO ZOOTOMY

THE SCREEN

What with this magazine's alternate-week summer schedule and the plethora of new films on our screens, space is at a premium. So here is a run-down of imports now playing, all of which, depending on viewers' tastes, have something to offer; but none of which is one of those irresistible gems that many cineastes like to think every import is.

"Interlude," handsomely filmed in color in London and environs, tells another of those adultery stories that movie makers like so well. Audiences who enjoyed weeping over last year's beautiful, poetic and rather silly "Elvira Madigan" should go for it in a big way, although the best example in this genre is the unforgettable "Brief Encounter." And if you remember the sentimental "Intermezzo," which brought Ingrid Bergman to our attention in 1939 as a young pianist who fell in love with married violinist Leslie Howard, you'll find this "Interlude," a mod retelling of the old tale. Barbara Ferris is very mod indeed as the young reporter who falls for Oskar Werner, a married orchestra leader who's almost twice her age. In no time they pop into bed, and their story becomes one of those tiresome it's-bigger-than-both-of-us affairs. Miss Ferris is as cute as a button and almost as emotionless; and Mr. Werner is better as a symphony conductor (playing some very good music) than as a lover. Outstanding in director Kevin Billington's supporting cast is Virginia Maskell who makes Werner's wife the most interesting character in this dragging "Interlude."

On the stage John Osborne's "Inadmissible Evidence" was practically a monologue in which Bill Maitland, a middle-aged London solicitor, puts himself on trial in his mind, looks at his past, present and future, and finds himself very much wanting. It was a fascinating character sketch of a mean bastard superbly played, under Anthony Page's direction, by Nicol Williamson. Now scriptwriter Osborne, director Page, and star Williamson have come up with the movie version; and while it is worth seeing it is regrettably much less so than the original. It is still a character sketch showing the disintegration of a personality; but in opening up the play to employ cinema techniques, the movie makers have cut out much of the dialogue (and extraordinarily good dialogue it was) and have lost most of the interior and nightmarish quality of this unpleasant man's self-examination. The humor is still there in Maitland's vicious slurs and unholy behavior, but in the clear light of Kenneth Hodges' excellent black-and-white photography, Maitland eventually becomes a nasty boor whose pleas for understanding and love leave the viewer cold. Once again Nicol Williamson is first-rate in the role, and the large supporting cast as Maitland's put-upon family, co-workers, and clients are fine. Although this is a good example of a play that shouldn't have been filmed, you won't find the movie a total loss —especially if you revel in any of those old pictures in which Erich von Stroheim played the "man you love to hate."

In "The Bride Wore Black," French director Francois Truffaut follows his recent, engrossing book of interviews, *Hitchcock,* by dedicating his movie to the great master of suspense. While Truffaut's film has many things in its favor, Truffaut is no master of suspense, and his opus is neither good Truffaut nor good Hitchcock. It is a mild thriller about a bride (Jeanne Moreau), whose groom is shot and killed as they are leaving the church. She vows vengeance on the five men who were responsible for the *accidental* death. And the only suspense, once we learn this early in the movie, comes in the *how* she will kill them off. Among the good points in "Bride" are the lovely color photography and the excellent perfor-

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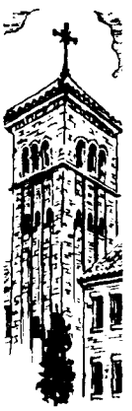

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mances throughout, especially by the five victims, each of whom is well established in his few brief scenes as a definite personality—and not a very nice personality, as if each deserved the bride's punishment even though he were not guilty of murder. Although Miss Moreau is no longer the young, sexy, svelte actress she was, she plays this bride of vengeance well. I can't understand, however, why some of the critics are calling "Bride" a comedy. Vengeance, as the main motif of a film is likely to get tiresome, and when pursued relentlessly, as it is by this dead-panned bride, it even becomes dull. But no doubt everyone to his own taste.

"Inspector Clouseau" continues the series about the bumbling French detective that was started by Peter Sellers. Alan Arkin now plays the role and is occasionally amusing in his yes-and-no efforts to track down a gang of robbers. But the plot is rather ordinary and the humor is more forced than hilarious. Perhaps the time has come to call a halt on Clouseau.

The Czechs do some mild kidding around in "The Death of Tarzan," a satire on what might happen if a half-man-half-ape were brought back to "civilization" after some 30 years in darkest Africa. What this Tarzan, actually a baron, finds in Europe and civilized society is not exactly to his liking. Some of this is very amusing, but the picture labors its points and the whole thing becomes rather obvious before its sad finale. It's worth a try, however, and viewers not expecting a modern TV kind of Tarzan could find this ironic film's events entertaining.

PHILIP T. HARTUNG

DIVERSE FARE

RECORDS

That state of inner illumination of Beethoven's last years, which I spoke of in connection with his Piano Sonata Op. 106 (*Hammerklavier*) [July 12], achieves its most unusual and, in the end, most sublime musical embodiment in the concluding variation movement of the last sonata, Op. 111. The illumination is communicated at once in the slow two-part statement constituting the theme that is elaborated in three variations of the normal kind; what is unusual begins with the fourth variation—an alternation between dark, hushed, fragmentary suggestions of the theme in the piano's low range, and bright, florid elaboration of it in the high range. Unusual, too, is what follows: not further variations, but a wide-ranging digression which eventually leads to a restatement of the opening theme, this time over an accompaniment which gives it new urgency and carries it to a climactic point of joyously exalted intensity, where it breaks off for a soft trill at an ethereal height, below which a quiet restatement of the theme dies out in final sublimity. Schnabel's unequalled realization of this movement, reproduced with insufficient brightness and clarity, has been available on Angel COLH-63; now RCA Victor has issued a performance by Jacob Lateiner, of which the structural and expressive lines are similar to Schnabel's, but the detailed playing is Lateiner's own and very fine, and which comes the closest of any I have heard to achieving the expressive effect Schnabel's achieved. With it, moreover, the record offers Lateiner's similar fine performance of the Bagatelles Op. 126 that Schnabel acquainted us with—examples of Beethoven's other kind of late writing for the piano in their small-scale and concentrated embodiment of their remote and at times strange expressive content.

On the other hand, Victor gives us Artur Rubinstein's performance of an attractive example of Beethoven's early writing, his Concerto No. 1. It isn't as excitingly enlivening as Glenn Gould's in the first movement, as sparkling as his in the finale; but the relaxed, musically sensitive and beautiful-sounding playing is effective in its different way, and is heard, as Gould's is not, in a context of fine playing by the Boston Symphony under Leinsdorf.

Of Haydn's late works, one of the most impressive is *The Creation,* which astounds one right at the start with the power of its introductory representation of chaos, then continues to amaze one with its flow of superb melody developed and articulated by remarkable harmonic shifts, to amuse one with some of its descriptive passages, to move one with the grandeur of its choruses, to charm one with the innocence and sweetness of the last section. Of the three new performances, I prefer Jochum's with the Bavarian Radio Orchestra and Chorus on Philips records (stereo only), because he not only produces the most impressive representation of chaos but also has the inspired idea of continuing its atmosphere with the hushed delivery of the bass's first phrases—this in addition to the fact that he conducts the rest of the work with more musical sensitiveness than Münchinger in the performance on London records, and without Leonard Bernstein's nervous excitement in the performance on Columbia records. Regrettably the recorded sound of Jochum's performance hasn't the amplitude and brilliance it should have.

The Divertimento K.563 for string trio has occasional pages of Mozart's wonderful late writing—the most notable being the quiet but expressively powerful variation in minor in the Andante. A Philips record (stereo only) has an excellent performance by Arthur Grumiaux, Georges Janzer and Eva Czako.

Of Mozart's engaging earlier Divertimentos K.251 and 247 for winds and strings, I prefer the better-paced, clearer textured and more enlivened performances by the small group of the Collegium Aureum on a Victrola rec-

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ord to those by Karajan with the Berlin Philharmonic on a Deutsche Grammophon stereo record.

Additional Victrola mono records with re-edited Toscanini recordings offer the enchanting performance of Mendelssohn's *Midsummer Night's Dream* music, unfortunately recorded originally with insufficient brightness and volume, and with the horn soloist not at his best in the Nocturne (add treble in the Overture and Scherzo, bass in the Intermezzo, Nocturne and Scherzo). Also the superb performances of Mendelssohn's lovely *Italian* Symphony (add bass in the first, third and fourth movements; reduce treble in the second and third) and Weber's Overtures to *Euryanthe*, *Oberon* and *Der Freischütz* (add bass in the last two). And the magnificent performance of Elgar's *Enigma* Variations (reduce treble).

Ashkenazy's performance of the original piano version of Musorgsky's *Pictures at an Exhibition*, on one side of a London stereo record, is excellent except for a few details —the most important being the fussing with phrasing and tempo that spoils *Samuel Goldenberg*. Much worse is Mehta's rattling off of the tremendous *Catacombs* in the undistinguished performance of Ravel's orchestral version with the Los Angeles Philharmonic orchestra on the other side.

Prokofiev's fine Piano Concerto No. 3 is performed admirably by John Browning with the Boston Symphony under Leinsdorf on a Victor record which offers also the arid Concerto No. 4.

Of the two new performances of Tchaikovsky's engagingly melodious Violin Concerto, I prefer the more quietly lyrical one by Itzhak Perlman with the Boston Symphony under Leinsdorf on a Victor record to the impassioned one by Leonid Kogan with the Paris Conservatory Concerts Orchestra under Silvestri on a Seraphim stereo record.

A Victrola mono record has the beautiful performances of arias from *Il Trovatore, La Forza del Destino, Aida* and *Un Ballo in Maschera* that Milanov was able to achieve in the recording studio in the years when she was excruciating the ear with her tremulous shrillness in performances at the Metropolitan.

One of the most extraordinary voices of today, the mezzo-soprano of Marilyn Horne, is heard on a London stereo record in excerpts from *Carmen, Mignon, Samson et Dalila* and *Werther*.

And what to my ear are Palestrina's most beautiful music, his motets to texts from *The Song of Solomon*, are sung well on a Crossroads stereo record by the Slovak Philharmonic Chorus under Jan Maria Dobrodinsky.

B. H. HAGGIN

BOOKS

'Los Angeles is America and it's terrible'

Prelude to Riot

PAUL JACOBS

Random House, $5.95

EDGAR Z. FRIEDENBERG

Paul Jacobs, surely, is one of the most cogent and competent American social critics. His strength is derived from an unusually powerful synthesis of the best aspects of old and new radicalism. A man just fifty years old, whom his publishers describe as having been a "full-time radical" in his youth, Mr. Jacobs has grown wise and cool in his radicalism without losing it. Like the best of the new radicals, he is a specific, perceptive, participant observer of the scenes he describes; when he writes about slum life he does so from recent experience —research, if you will—but without at all sounding as if he had been slumming; there is neither detachment nor self-righteousness in his tone.

Yet he retains something of the old-radical style that I miss in many of the writings of the New Left; a capacity for personal judgment and indignation in response to conditions which drive younger men with similar values to cynicism and an anger that, when they express it at all, is likely to be too generalized to provide much guidance. Jacobs, clearly, is as convinced as any man that poverty and misery in America are deeply rooted in the American system and the values it both expresses and cultivates. But his observations and his value judgments are specific; the indictment they imply is fundamental. And his anger is always a response to the human consequences of social evil; it never becomes, itself, an article of ideology.

Jacobs' preference for reality over social theory leads him to be a little less theoretical than might have been helpful to the reader, who gets very little assistance in tying together the sets of observations—each fascinating in itself —of which Jacobs' book is largely composed. The way he has chosen to organize the book is both simple and sensible; he has a chapter on each of the major social agencies with which poor people must deal. He very clearly depicts the abrasive policies and continuously insulting attitudes they encounter there; he then shows how these practices originate in the political context that supports each social agency and the kind of bureaucracy it has developed through the years. This approach is most effective in Jacobs' presentations of those agencies he was himself able to confront by approaching them as a client and sampling their service personally: the

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Welfare Bureau, the Employment Service (or "the unemployment" as it is more commonly and accurately called by those who have to use it), and the health services available to the poor; especially those of the Los Angeles General Hospital. Jacobs is rather less effective in appraising those agencies with which he could not deal directly and had to rely on interviews with clients and staff, and on personal but unsystematic observation: notably the schools, but also public housing and the police.

Since *Prelude to Riot* is designed to provide the reader with a context for understanding the events that took place in Watts in 1965, all Jacobs' observations were made in the Los Angeles area; but the book is not, of course, of purely local relevance. In his introduction, Jacobs asserts: "This book is about the relationships between government and the minority poor in Los Angeles, but it could be any city—for in analyzing those relationships, I have discovered that Los Angeles *is* America and it's terrible." God knows this is true enough; yet, the Watts riots were unique in one respect, which permitted Jacobs to include in his book one of its most useful and informative chapters: an account of the eight-member McCone Commission appointed by Governor Edmund G. Brown to investigate the riots.

This chapter is the most important and, in depth, the most terrible in the book; for it shows why the miserable conditions detailed in the preceding chapters are unlikely to be altered by political action in California or the rest of the country. The difficulty, as the story of the "Commission on the Los Angeles Riots" so clearly showed—not by its findings, which were misleading and irrelevant, but by its *modus operandi*—stems from something deeper even than national character: the national sense of reality and of the nature of authority. If these are corrupt and deranged, there is no possibility of sound moral judgment, and without moral judgment there is no possibility whatever of intelligent action. It is this truth which American political pragmatism most fiercely resists; Jacobs' chapter on "The McCone Commission" shows the costs of that resistance. The social dynamics and implicit value judgments revealed by the way the Commission was selected and conducted its affairs provides a model for understanding matters immediately affecting a much larger area: why it is so difficult to alter our policy in Southeast Asia, for example, or why it seems so unlikely that anyone better than Lyndon Johnson or Richard Nixon will be the next President of the United States, or that it would matter greatly if he were.

Jacobs notes: "The initial selection of McCone, the manner in which the other members of the commission were picked, the character of its staff, its methods of investigation, and the report it issued were all perfectly in character. The failure of government was a major cause of the terrible outbreak; it was almost inevitable, then, that in its investigation of the events the government should also fail. And it did." The McCone Commission was designed

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not to work: not to respond to the data put into it in such a way that they might affect its report; not to issue anything that might effect change in the society.

McCone, a wealthy shipping magnate and member of the board of many large corporations, whose devotion to, and conception of, the public interest has been expressed in, among other roles, Chairman of the Atomic Energy Commission and Director of the CIA, accepted the Chairmanship of the Commission on the Los Angeles Riots at the personal urging of President Johnson. He then set about assembling the kind of Commission which has become accepted in American practice as balanced. It even included two Negroes, one a Republican judge, the other a member of the Los Angeles City Board of Education; and, as an afterthought, one woman—a former President of the League of Women Voters. The Commission set itself a three-month deadline, in order to insure that its work would lead to quick action, and head off an investigation already begun by Ramsey Clark, the present Attorney General, who had come to Los Angeles with a staff to investigate the riots. McCone chose as general counsel and executive director of his own staff, Thomas Sheridan. Jacobs describes him as "a fairly young man . . . a former Assistant United States Attorney in Los Angeles, a member of the Robert Kennedy staff in the Justice Department, whose entire legal career had been as a prosecuting attorney. He had recently gone into private practice with a group who had also been either with the Department of Justice or the FBI. . . ."

Jacobs quotes Sheridan's description of the way the Commission operated:

"We worked out a chain of command right from the beginning. Because we had to deal with normal kinds of problems, not serious ones. I drew a little diagram at one of the early commission meetings, and I said, 'This is the commission up here, all the commissioners; this is all the staff, down here; this is me in the middle. If people on the commission have anything they want the staff to do, any communications, correspondence, or anything like that with the staff, it's got to go through me. And I'm instructing the staff that if they've got anything for the commission, it goes through me, not because I'm important or anything else, but because if we don't have this kind of a thing, then I'll never know what the hell is going on and neither will the commission.' The commission agreed with this kind of approach, so that after a while McCone and myself had any number of meetings, any number of sessions."

Jacobs adds:

"The pressure on the commission members was great, for they were attending the hearings plus the occasional commission meetings called by the chairman. And because they all had to cram their normal week's work into a day or two at the most so that they could spend time on commission activities, most of them were willing to allow McCone, Call [Asa Call, Chairman of the Board of the Pacific Mutual Life Insurance Company and Director of the Los Angeles Country Club] and Christopher [Warren Christopher, Los Angeles Attorney and now Deputy Attorney General of the United States, characterized by Jacobs as one of Governor Brown's "closest political advisors"] together with Sheridan, to continue making all the daily decisions."

The Commission permitted Sheridan to assemble the staff. According to Jacobs:

"Of the eleven attorneys hired by the commission, three were from the U.S. Attorney's office; one came from the State Attorney General and one from a background as a court clerk; the others came from specialized backgrounds. Only two had done any work in race relations, and only one had any prior experience with welfare problems. Four of the ten investigators were former FBI men, two were former agents of the Federal Narcotics Bureau, one had been a deputy sheriff, and the three others were private detectives. Indeed, the full-time staff did not include a single professional working in the field of social sciences. . . . As a substitute, therefore, the decision was made to hire them as consultants. But the social science consultants were always downgraded by McCone and Sheridan, who viewed them as dreamers and visionaries."

The results, as Jacobs shows, were just about what might be expected. Although the Watts riots, like those the next summer in San Francisco, were precipitated by the killing of a Negro boy by police, the Commission's report includes the following statement:

"Chief of Police Parker [now deceased] appears to be the focal point of the criticisms within the Negro community. He is a man distrusted by most Negroes and they carefully analyze for possible anti-Negro meaning almost every action he takes and every statement he makes. Many Negroes feel that he carries a deep hatred of the Negro community. However, Chief Parker's statements to us and collateral evidence, such as his record of fairness to Negro officers, are inconsistent with his having such an attitude."

"Yet," Jacobs notes, "witness after witness had testified to quite the opposite about Chief Parker's record of fairness to Negro officers." In fact, Jacobs says: "Neither the commission's investigations, its hearings, nor its final report seemed to have had any other objective than that of defending, as much as possible, the past activities of the police and their role during the riots. And this was clear from the start of the commission's work."

"According to Sheridan, 'The commission felt, as a commission, that there was a delicate balancing here, that the commission was not set up to investigate the police department. What caused the commission to come into existence? The riots. Not the police department. The commission was set up to look at the riots, not to go into the police'. . . . When some members of the staff raised the question of outlining a plan for investigating alleged cases of police brutality, Sheridan opposed it, stating that such an investigation wasn't necessary because 'the commission is already convinced there is police brutality, and therefore there was no need to take evidence of it.' And so no testimony about specific instances of police bru-

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tality was given in the hearings, although at least three witnesses offered to provide the commission with such cases."

Jacobs quotes McCone himself as saying:

" 'As the Director of Central Intelligence, I was familiar with many insurrections and disturbances in many parts of the world: Panama, Dominican Republic, Saigon and elsewhere. And in every one of these police brutality was the cry. This raises a question in my mind: if this isn't a device, and if you are not supporting a device that is designed to destroy the law; and after all, law is just the thin thread that holds our society together, and nothing would be more beneficial to our adversaries, those who would like to destroy the freedom that this country stands for, than to destroy the enforcement of the law and bust this thin cord which holds us together.' "

On such sympathies as these the Watts community depended for elucidation of its social plight and assistance in planning its future. The McCone Commission has even acted to prevent any less ethnocentric body from gaining access to the data it has collected:

"After the commission report was issued, Sheridan was given the blanket authority to decide what other documents the commission would make public, what documents should be saved, and what should be destroyed. Acting on this authority, he went through the materials, chose those he felt should be copied, and deposited the copies in nine libraries throughout the state. Thus, it is possible to read the consultants' reports, for example, or study the transcripts of testimony either at one of the libraries or by getting a microfilm copy.

"But, and a big but it is, future scholars would have no way of knowing, from looking at the eleven volumes of material available in the libraries, that Sheridan had taken out such key exhibits as John Bugg's chronology of events. Sheridan states that he destroyed only 'drafts' of reports and memoranda, but that edited versions of interviews and other materials were saved. Unfortunately, until access to the materials is given, no one will know what was destroyed and what was kept but for a variety of reasons not included in the documents the commission did deposit in the libraries."

"Enough," Jacobs says finally. "The failure of the McCone Commission is as good a place as any to stop. There is no real end to the story, anyway. I might have gone on to examine the parole and probation system . . . But I would come out at the same place with the same agonizing conclusions. So enough."

"In America, the poor and especially the minority poor live inside a pen without an exit gate."

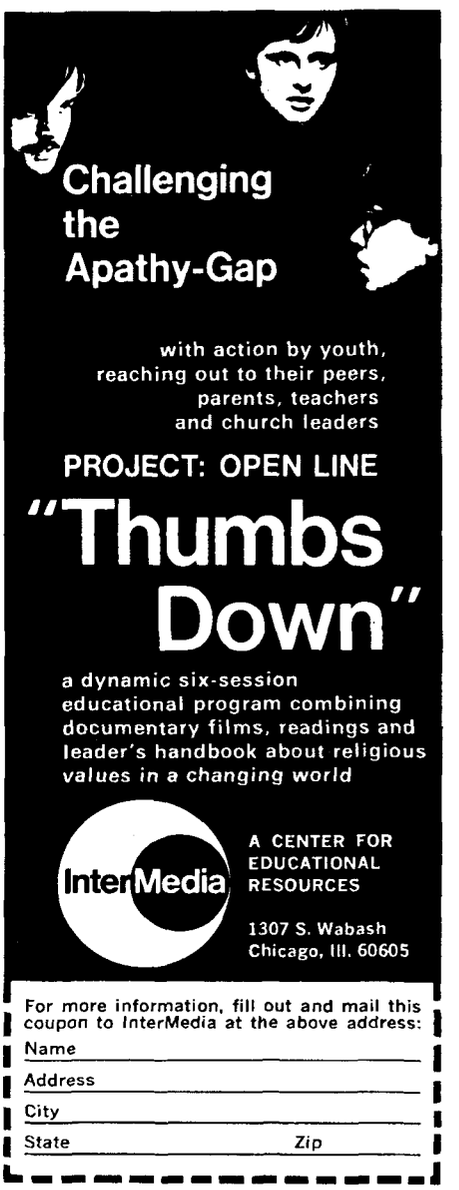
So Paul Jacobs begins the brief *Conclusion* to *Prelude to Riot*. The book ends very close to despair, for which the reasons are clear. What disturbs Jacobs most is not, I think, so much the grinding ugliness of what he has seen and presented, as his awareness, galling indeed for a long-time radical, that the difficulties may be too deeply rooted to permit a political solution. "We *are* a racist country. Deep down in their visceral being, millions of white Americans believe . . . that they have a higher status and are more intelligent than non-whites. . . . Along with its tradition of racism, America has always had a tradition of contempt and dislike for the poor."

This being true, and it is true, it may well be that no public policy that in any way expressed the will and tradition of America would be much better than what we have now. Our antiquated institutions with their extreme bias toward the valuing of property above human feeling certainly do not help. But neither, Jacobs fears, are they the root of the problem.

His own words provide, I believe, the best possible summary of the heart-issue of his book, and the conclusion to which it inexorably leads:

"Technology is forcing us into new kinds of government, but we are not yet engaged in consciously creating these forms; instead, they come into existence in hasty and ill-conceived response to immediate pressures. Yet, although I believe private enterprise may be replaced by some form of public enterprise society, I do not believe such a society would *necessarily* be free of racism. It is possible to have a racist socialist society, just as it is possible to have a poverty-free socialist society that is still destructive of human dignity.

"I am not attempting here to provide an exact blueprint of what should be done in Los Angeles and America: none are available, although hundreds of good ideas, some certainly worth trying, have been suggested as possible partial solutions to the problems. But these ideas will not be effective unless the country as a whole develops the will to change. It is the *will* which is missing now, and yet without it change



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will not take place and the country will continue toward complete disaster."

And, indeed, even if the "will" could be found, most of the energy of this country's leadership would, I suspect, go into trying to avoid probate.

Happy Families

SAUL MALOFF

Scribner's, $5.95

ABRAHAM ROTHBERG

Epigraphs are sometimes keys to the books they introduce and the two which adorn Saul Maloff's fine novel, *Happy Families,* are cases in point. The epigraphs make strange bedfellows—literature makes almost as many as politics—of Count Leo Tolstoy, sage of Yasnaya Polyana, and Edgar Rice Burroughs, pulp writer of Tarzana, California, in what at first seems like a mésalliance but turns out to be an effective liaison. *Happy Families* is a witty and hilarious book—exaggerated, American, what in contemporary, if debased, coinage is called "black humor"—and also a novel of high seriousness and purpose—exaggerated, European, what in an older parlance went by the name "classical"—concerned with those special thorns in the side of man and also his beds of roses, the family and the office, and their relationships.

Happy Families tells the story of the psychological hegira of Robert Kalb, sometime student, editor and writer, who after the proverbial seven lean years in the midwest, where he had fled a failed marriage and the responsibilities of life in New York, returns to search for his teen-age daughter, Jenny, who in her turn has run away from her suburban middle-class home, mother, stepfather and estate. Even more essential, Kalb is in search of new beginnings, a new life, a new understanding of himself. As he wends his obsessed way through Greenwich Village looking for his daughter, and as he cunningly threads the Madison Avenue labyrinth of a national newsmagazine for which he writes "culture capsules," Mr. Maloff dissects the "nuclear family"—the European (and Jewish) "blood is thicker than water"—and opts for the "nonkinship family"—the American (and Gentile) "home is where your friends are." At the same time he cuts to ribbons newsmagazine journalism.

"You're writing for lip-movers," Jason Knowles, Kalb's editor, cautions him, readers who pick up magazines not for information or truth but for soothing fantasy, to confirm their biases, for surcease from the shocks that flesh is heir to. In weaving public and private life together, Maloff gives an incisive and scathing picture of the Spock-Gesell-psychoanalytic view of private life and people as well as of the *Time-Life* perspective of politics and public figures. More, Maloff pushes beyond both into that area of thought and feeling which subsumes private and public lives, trying with intuitive concern to ferret out what a truly manly and honest life is, striving, hoping, yet giving a devastating portrayal of how men are in fact unmanned, made impotent, castrated by the "nuclear family" at home and by the "nuclear society" at large.

Kalb is a character out of Chekhov and Goncharov, an American Oblomov and "superfluous man," as unable to pick up the telephone to call the daughter he has not seen for seven years as a Chekhov character could not simply pick up and leave the provinces for Moscow, as dilatory and hesitant as the Oblomov who could not summon up enough decisiveness to get dressed and who therefore spent all his days in his dressing gown. A Jew, Kalb—in Yiddish the word *kalb* means both calf and fool; and Kalb is both "sacrificial calf" and "divine fool"—is also a character with roots in the East European *shtetl* and ghetto whose intelligence endeavors to make sense of the caprice and injustice of the world but whose laughter and philosophical shrug humanize and accept life when one cannot understand or cope with it.

Hypochondriacal, reflective, voluble, Kalb is the Tevye of Sholem Aleichem who loves his daughter; silent, long-suffering, fundamentally good, he is Peretz's Bontche Schweig, who can imagine that a roll and butter to eat daily is mankind's highest hope of peace and satisfaction. Kalb is Kafka's K bewildered by the complexity and duplicity of the world and men; and also Jaroslav Hasek's Schweik, shrewd and tough, passively resisting the incursions into his life by women and bosses, children and friends. And Kalb is also and essentially American, a Walter Mitty dreaming of deeds of grandeur, a Huck Finn innocently and not-so innocently opting out of a biased treadmill society, a Hubert Humbert lusting after young girls, and a Moses Herzog, veteran of familial wars.

Clearly, *Happy Families* is a book with broad and deep roots in European and American literature and life, but it is by no means a derivative one. Although it will inevitably be compared to Saul Bellow's *Herzog* and Wallace Markfield's *To An Early Grave,* and by many will be considered superior, *Happy Families* is an original book and Maloff his own man, working his own ground. His style, a pulsating, humorous, contradictory prose, which leaps between European literary allusiveness and vulgar American plain talk, is a honed instrument of two edges and bears his own unique signature on its haft, an instrument admirably suited and employed for piercing posture and pretension, for cutting deep into the troubled fabric of American life.

Though officially *Happy Families* is a first novel, it cannot validly be considered as one, nor can Saul Maloff be treated as a first novelist: this is a mature book written by a mature artist with a seasoned vision and style. If anything, and unlike most first novelists, the book suffers from Maloff's artistic humility; he has bitten off far less than he can chew and as a result fails to explore and exploit some of the more interesting characters and possibilities

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REVIEWERS

EDGAR Z. FRIEDENBERG is a professor of education and sociology at the State University of New York at Buffalo.

ABRAHAM ROTHBERG, former managing editor of *The New Leader,* is the author of several novels, including *The Heirs of Cain* and *The Song of David Freed.*

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in his book, particularly Kalb's tender love affair with Laura, his lusty autumnal passage with teenage Susan, and his ambivalent relationships with his friend Barney and his first wife, Martha. But in focussing on two major characters, Robert Kalb and Jason Knowles, opponents and collaborators, enemies and friends, alter egos in more ways than they know or than perhaps the author would confess, Mr. Maloff has created two vibrant characters and their complex worlds.

Ralph Waldo Emerson once wisely wrote, "Intellect strips, affection clothes." In *Happy Families,* Saul Maloff has used his intellect to strip pretenses from the public and private realities of American life, to show us the games, big and little, America plays on all its battlefields, personal and general, in the board room and in the bawd room, but his affection has not left us altogether naked forever, only sweetly and sardonically suggested that perhaps the Emperor's new clothes are not suitable for the new times, and that there are other garments available more fitting.

CORRESPONDENCE

(Continued from page 515)

boards without power or, as he implies, interest in running the schools well. He couldn't have been speaking of New York City, the focus of the whole argument, because the people of this city have never, in my memory, had the opportunity of electing any board of education. We have had to settle for board members appointed by the chief politician of the city. . .

The Ocean Hill-Brownsville decentralization experiment serves to point up for Mr. Berube the way in which the legitimate aspirations of the black community are thwarted by a sinister combination of the New York City Board of Education, The United Federation of Teachers, and even Mr. Bundy's Ford Foundation. . . Contrary to what Mr. Berube states, the Ocean Hill-Brownsville area was not "a community intent on control of its schools". The planning and governing boards never did have the backing of a majority of the parents (not to mention the other citizens) of the community. After a summer of sending out paid organizers to drum up interest in community control only a small minority of those eligible to vote did so in the governing board elections. The planning and governing boards simply misread the attitudes of the community. A recent study undertaken by the Center for Urban Education, no friend of the UFT or the NYC Board of Education, in the neighboring Bedford-Stuyvesant area has shown that a majority of the community people are *not* interested in control of the schools. They *are* interested in good education under professional control.

The mistake (notice the use of the lightweight term) made by the governing board, according to Mr. Berube occurred when it "summarily dismissed 13 teachers and five supervisors without benefit of charges or hearings". A spokesman for the governing board did state that the teachers were dismissed because they were out of tune with the political atmosphere of the community. Imagine that happening in Scarsdale!

The Ocean Hill-Brownsville experience, and that of the IS201 complex in Harlem, point up the danger of investing control of the schools in very small, albeit active, community minority groups. The anti-white, anti-Semitic, and anti-union attitudes promoted by these groups are not representative of the larger communities. Without involvement of all the members of the community in school control you rob that community of its ability to check the abuses and excesses of a minority of its members.

By all means give Harlem what Scarsdale has; participation by *all* the members of the community in the running of the schools.

PATRICK O'GRADY

Reply

Racist white America is still not prepared to give black ghettos what it has in its suburbs. In the suburbs, citizens *do* elect school boards, which selects staff, administers funds and determines curriculum. In New York City, since the

Educational

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"THE TRUTH IS *that the Supreme Court has been a political as well as judicial body ever since John Marshall, and has become more thoroughly politicalized under Earl Warren than ever before in its history. The Court, having assumed the power to legislate, to administer and to define social goals, should not be exempt from the political process. The Senate should exercise its role frankly and vigorously.*"

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Liturgy and Commitment

". . . The problem of the liturgy today does not lie with the reforms decreed by the Vatican Council and now being put into effect at varying rates in various parts of the country . . . We need not only to give new life to old forms but to discover new ways of worship. . . .

"Here is something that should be stressed; the purpose of Mass in the home or of any measure of liturgical reform is not a hunger for novelty but a desire to make of the Mass a vital, compelling experience in forming a Christian community, of being the Church in miniature in this time and this place. And once that point is established, what should be stressed is that this experience is not in itself enough; it must be translated into ministering, Christ-like action. . . .

"The man who is truly concerned about the liturgy must also be deeply concerned about Vietnam, about hunger in China and India and Mississippi, about the chasm that separates rich and poor, whether between wealthy and impoverished nations or suburban and inner-city parishes. Pastors and people must regard the creation of a sense of community as their most important task, achieved through a liturgy that is a living and meaningful experience, but this experience in turn should lead to a deep and abiding commitment to social justice. . . ."

These are excerpts from the lead editorial in last year's Liturgical Issue; send the coupon, or a facsimile, and begin a trial subscription with this year's Liturgical Issue, to be dated August 23.

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turn of the century, the Mayor appoints nine school board members who have the impossible job of managing 900 schools with 1.1 million pupils. That Board is accountable to no one. In short, white suburbia exercises control over its schools, whereas black urban ghettos do not.

The history of the Ocean-Hill Brownsville experiment is much too intricate to relate here. I refer Mr. O'Grady to a dedicated priest, Father John Powis of Our Lady of Mercy Church, a white liberal much admired and respected by the black community, who has been instrumental in that controversy. It was through the effort of Father Powis and black and Puerto Rican leaders, with community support, that the project came into being. Suffice it to say that these activists did not initially get what they bargained for. In New York City, under state educational law, local school boards could only advise the Board of Education. The mild "decentralization" plan just passed by the legislature *now* gives the central Board the right to delegate powers to the three experiments.

Mr. O'Grady's assumption that only a minority of blacks desire control is a fantasy chiefly promoted by the teacher's union. True, there are few black activists; not true, that these activists do not reflect the black community. Mr. O'Grady cites an incidental part of a study conducted by the Center For Urban Education. In the CUE report, black parents said they were not interested in the selection of school personnel; *they also said, they wanted the power to fire teachers and principals.* I take this to mean the parents want their schools to be accountable to them.

Moreover, I know of no blacks, and no black leader, save Bayard Rustin, who isn't for community control. New York's only Negro newspaper, *The Amsterdam News,* a voice of moderation, has consistently urged community control of the schools (as has the *New York Times,* by the way).

But, I'm afraid Mr. O'Grady evades the thrust of the piece. Are we to accept the increasing failure, year after year, of the black poor in urban schools?

Until recently, the UFT has not. The

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union was a mild supporter of school integration and devised an imaginative compensatory education program, the More Effective Schools Program.

Why oppose community control when it seemed to offer the main opportunity, at present, to affect pupil performance? I suggest that Al Shanker and the UFT leadership responded to the sentiments of the overwhelming majority of teachers against black control, and were hesitant to share educational power. I know few teachers, and fewer UFT staff members, who do not feel threatened by the new black militancy.

I also suggest that this black militancy, reflecting the majority of the black community, is "anti-white, anti-Semitic, and anti-union", *in reaction* to a long history of white paternalism, at best, and white racism, at worst.

Unfortunately, there are no panaceas. Each urban public school should be integrated, be a More Effective School, be accountable to the community, and directly receive large amounts of federal aid. Even then, some educational critics (including James Coleman, Paul Goodman and Christopher Jencks) doubt whether the urban school could counter the effects of poverty, and advocate turning public schools into private ventures, financed by federal grants to pupils.

This anti-public education view is gaining support. As Al Shanker has said in the past, "If the public schools can't do the job, then one day we might as well close up shop." Perhaps that day has come, and, ironically, Mr. Shanker and the large majority of New York teachers, have hastened its arrival.

MAURICE R. BERUBE

Counter-Violence

Princeton, N.J.

To the Editors: The interesting personal report by Dan Callahan on the student violence at Columbia (June 7) seems to have left us about where his article on Marcuse (Dec. 22 1967) had left us—protesting intellectually against the methods of meliorist firebrands but sliding willy-nilly toward acquiescence with these methods, rather than cooperation with counter-violent forces. Mr. Callahan's final stance is the familiarly self-mocking and abulic one of the rationalist liberal, paralyzed by the irrelevance of his rational argument and passive protests for the Trotskyite, but unable or unwilling to see in their methods an ultimate arrogance or evil. By warning us that he is really "93.2%" on the side of the students anyway, Mr. Callahan seems to want to suggest this fact—that if he had actually blocked the brick-gatherers from arming themselves by his brave, passive resistance, he would have then accepted their rationale for pummelling him into insensibility, if that were the only alternative to the rationale of the police for violent counter-measures to protect him or democratic processes. While this report as well as his Marcuse article place Callahan firmly on the side of democratic process *theoretically and ideally*, his sympathies with many of the revolutionaries' goals prevent him from making a brief for the counter-violent defense of this process, *practically, in realpolitik*. As I think Foch once said, excessive "understanding" of one's foes is lethal for the soldier. Mr. Callahan seems to lean finally to anarchy because his democratic militancy is only in his head or, perhaps, heart.

Callahan's position vis-a-vis the SDS, however, is clearly logical in a broader context, for how could one countenance any counter-violent measures against revolutionary eschatology in Morningside Heights if one is already committed to peacefully accommodating such militancy and violence in Southeast Asia? How could one do more than set an example of passive resistance, by lying down on the bricks beneath the feet of the SDS, if one is simultaneously advocating something rather close to surrender to the Viet Cong? Hoping in both cases, of course, to work from within toward a future gradualistic neo-democracy by the Left. Such rationalism forgets the fragility of the democratic equilibrium and respect for the common man; it forgets the many pitfalls lying in the path of *evolving* democracy in basically totalitarian regimes; and it forgets how tomorrow's SDS Establishment will confront its own violent dissenters, in an endless cycle of bloody bricks built on the precedent of today's overthrow of "repressive tolerance." To understand this is to understand the need of counter-violent defense of the most foundational freedom of all—free expression and dissent. *If* the price of justifying such counter-violence in America, at Columbia, becomes justifying it at Cholon, then let us do so, with moral courage and practical action.

DAN SULLIVAN

Cleaver's Fire

Scotia, N.Y.

To the Editors: Re: Eldridge Cleaver's article "The Fire Now" (June 14): . . . In a nation of 200 million people, of whom some 10 percent are black, a military confrontation even of a guerrilla nature probably would not come out in favor of the minority. The concept of poor whites streaming to aid the black cause is questionable, particularly considering the recent Huntley-Brinkley TV program—about June 10—during which Brinkley noted that poor Mexican-Americans were leaving Resurrection City with the complaint that they were being discriminated against by the Negroes. . .

Instead of sneering at his black brothers who have made it, he should see them for what they are—proof that the Negro can successfully compete in a nation which is 90 percent white and that he has got what it takes to earn for himself a better share of living in the United States. He will need a better education, fairer opportunities and hard work because that route has functioned for the white and will also function for the black. The place where the Negro radical can do most good with his militant persistence—who can deny that Black Violence has made for Black Progress—is by continually needling the Establishment to increase the pace of improving education and opportunities.

An attempt, motivated by revenge, to hurt white America will, I think, find the Negro radical playing the role of the honeybee who stings and then flees only to die.

CHARLES J. GUARE

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BIAFRA STARVATION

**When an 11 year old cries a lot
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